

## Notice of Meeting & Tentative Agenda



### Jefferson City Board of Adjustment

Tuesday, December 8, 2015, 7:30 a.m.

John G. Christy Municipal Building, 320 East McCarty Street  
Council Chambers

All interested parties will be given a chance to be heard.

### TENTATIVE AGENDA

1. **Call to Order and Introduction of Members, Ex-Officio Members and Staff**
2. **Procedural Matters and Procedures Explained**
3. **Adoption of Agenda (as printed or reordered)**
4. **Approval of Minutes for the Regular Meeting of November 10, 2015**
5. **Communications Received**

6. **New Business Public Hearings**

**Case No. B15005 – 1200 Myrtle Ave; Conditional Use Permit for Expansion of Private School.** Application filed by Helias High School for a conditional use permit to expand private high school facilities on approximately 14.5 acres including construction of a sports complex. The property is located on the northwest corner of Myrtle Avenue and Swifts Highway and is described as part of lots 13, 14 and 15 of Swift and Thompson's Subdivision, and all of lots 1 thru 10 of Block 17, all of lots 1 thru 14 of Block 18, and part of vacated Morris Street and vacated Elizabeth Street of Morris and Edmonds Subdivision, Jefferson City, Missouri (Central Missouri Professional Services, Consultant).

**Case No. B15006 – 3519 Bennett Lane; Conditional Use Permit for Assisted Living Facility.** Application filed by F and F Development, property owner, on behalf of The HALO Foundation, applicant, for a conditional use permit to operate an assisted living facility in a RU Rural zoning district. The property is located on Bennett Lane 1500 feet south of Christy Drive and is described as part of the NE Quarter of the SE Quarter of Section 26, Township 44 North, Range 12 West, Jefferson City, Missouri (Central Missouri Professional Services, Consultant).

**Case No. B15007 – 1211 Cottage Lane; Side Setback Variance.** Application filed by River City Habitat for Humanity, property owner, for a 1.5 feet variance from the side setback requirement of 7 feet to allow a setback of 5.5 feet. The property is located on the north side of Cottage Lane 220 feet west of Houchin Street and is described as Lot 15 and part of Lot 16 of Houchins Addition, Jefferson City, Missouri.

**Case No. B15008 – 2104 Industrial Drive; Side Setback Variance.** Application filed by City of Jefferson, property owner, for a 7.6 feet variance from the side setback requirement of 10 feet to allow the property to be split and the existing structure to have a setback of 2.4 feet from the new property line. The property is located on the north side of Industrial Drive 1000 feet west of Dix Road and is described as part of the SE Quarter of Section 2, Township 44 North, Range 12 West, Jefferson City, Missouri.

7. **Miscellaneous Report**
8. **Other Business**
  - A. **Election of Officers**
9. **Adjourn**

**MINUTES**  
**JEFFERSON CITY BOARD OF ADJUSTMENT**  
**November 10, 2015**

**BOARD MEMBERS PRESENT**

Wilma Partee, Chairwoman  
Paul Graham  
Andrew Hake  
Matt Rimiller  
Katy Lacy, Alternate  
Robert Gammon, Alternate  
Brad Schaefer

**ATTENDANCE RECORD**

3 of 3  
3 of 3  
3 of 3  
2 of 3  
3 of 3  
3 of 3  
1 of 1

**BOARD MEMBERS ABSENT**

Stacey Young, Vice-Chairman

1 of 3

**COUNCIL LIAISON PRESENT**

Ken Hussey

**STAFF PRESENT**

Eric Barron, Senior Planner  
Janice McMillan, Director of Planning & Protective Services  
Bryan Wolford, Associate City Counselor  
Diane Cary, Administrative Technician

**1. Call to Order and Introduction of Members, Ex-Officio Members and Staff**

Chairwoman Partee called the meeting to order at 7:35 a.m. and introduced the Board members and staff. A quorum was present to hear the items on the agenda. The following members were designated to vote: For Case No. B15003 Wilma Partee, Paul Graham, Drew Hake, Matt Rimiller, Robert Gammon. For Case No. B15004 Wilma Partee, Drew Hake, Matt Rimiller, Katy Lacy, Robert Gammon. Those wishing to speak to the Board were sworn in.

**2. Procedures Explained**

Mr. Barron explained the procedures of the meeting and the following documents were entered as exhibits for all items under consideration at the meeting.

1. The City Code of the City of Jefferson, as amended.
2. The Comprehensive Plan and Land Use Map
3. Copies of applications under consideration
4. A list of Property owners to whom notice of the hearing was sent
5. The affidavits of publication of notice of the public hearing
6. Copies of drawings and plans under consideration
7. Letters and memoranda from City staff
8. Staff reports and minutes of proceedings
9. Materials submitted by the public or the applicant

**3. Adoption of Agenda**

Mr. Graham moved and Mr. Hake seconded to adopt the agenda as printed. The motion passed 5-0 with the following votes:

Aye: Partee, Graham, Hake, Rimiller, Lacy



#### **4. Approval of Minutes for the Regular Meeting of July 14, 2015**

Mr. Hake moved and Mr. Graham seconded to approve the minutes as written. The motion passed 5-0 with the following votes:

Aye: Partee, Graham, Hake, Rimiller, Lacy

#### **5. Communications Received**

No correspondence had been received.

#### **6. New Business – Public Hearing**

##### **Case No. B15003 – 1535 Fairgrounds Road; Conditional Use Permit for Cellular Tower.**

Application filed by Porite Jefferson Corp, property owner, Jim Libey, authorized representative, for a conditional use permit to construct a 150 feet tall telecommunication tower. The property is located on the southwest corner of the intersection of Fairgrounds Road and London Way and is described as Lot 7 of Capital City Industrial Park (Cellusite LLC, Consultant).

Mr. Barron explained that Verizon Wireless, on behalf of the property owner, is requesting approval of a conditional use permit to locate a 150 feet tall telecommunication tower near the southwest corner of the property. He explained that the tower would be a monopole design with a fenced compound at the base of the tower and that the construction drawings indicate that the tower site is capable of accommodating 2 additional carriers. The property is zoned M-1 and the tower would be located 148 feet from the nearest property line, which exceeds the required 100 foot setback, and approximately 650 feet from the nearest residential property.

Mr. Graham asked about any restrictive covenants that might be in place. Mr. Barron stated that the Capital City Industrial Park subdivision, in which this property is located, has recorded subdivision covenants and restrictions that restrict the use of the property within the subdivision and the height of structures to 45 feet. Mr. Barron explained that while the City is not responsible for enforcement of private subdivision covenants, staff will not issue a building permit that is known to be in conflict with them. Mr. Barron explained that the covenants have a mechanism for amendment that the property owner can pursue and that the staff recommendation is that any conflicts with the covenants be resolved prior to building permit issuance.

Mr. Derek McGrew, Cellusite LLC and agent for Verizon, spoke regarding the request. Mr. McGrew stated that after much research looking for a tower site in this area, he found land that could be leased in order to build a new cell tower and they are working through the subdivision restrictions. He added that the tower will be a monopole tower with a fenced compound, will meet the maximum height of 150 feet, and there are no government properties available in the area, which are all requirements.

Mr. Rodney Jones, 3931 Scarborough Way, spoke in favor of the case. Mr. Jones stated that cell coverage in his area is horrible, that the nearest tower is in Lohman, which is too far away, and that a cell tower is needed.

No one spoke in opposition to the request.

Mr. Barron stated that the required findings appear to be met. The proposed telecommunication tower meets the specific use requirements outlined in the Zoning Code. The tower is located in an industrial area and the separation distance from nearby residential neighborhoods is enough that visual impact should be minimal.



Mr. Graham made a motion for approval of the proposed conditional use permit for a 150 feet tall telecommunication tower subject to the condition that releases of the covenant be obtained prior to installation of the tower. Mr. Hake seconded the motion.

The motion passed 5-0 with the following votes:

Aye: Partee, Graham, Hake, Rimiller, Gammon

Mr. Graham excused himself at 8:10 a.m. because of being recused for the following case.

**Case No. B15004 – 1024 Adams Street; Conditional Use Permit for Signage.** Application filed by Steven Lierman, property owner, for a conditional use permit to install a freestanding on premise sign in a residential district. The property is zoned RA-2 High Density Residential and is located on the northwest corner of the intersection of Adams Street and Woodlawn Avenue. The property is described as Lot 1 of Woodcrest Subdivision, Jefferson City, Missouri.

Mr. Barron explained that the property owner is requesting approval to place a freestanding sign within the courtyard area in front of the building adjacent to Adams Street in order to identify their building. He stated that the property is zoned RA-2 and that the proposed sign would consist of two 5 feet tall brick columns with a roughly 4' by 9.5' double sided sign mounted between the columns. He stated that the size of the sign would be approximately 38 square feet and that proposed optional illumination of the sign would consist of an exterior light facing each side of the sign with a maximum wattage of 60 watts.

Mr. Barron gave an overview of the history of prior Board of Adjustment actions for the property. He stated that in 1987 the City had issued a sign permit for alterations to an existing monument sign at the same location, erected in 1969, in order to light it. A neighboring property owner objected to the sign and appealed the permit issuance to the Board of Adjustment. The Board upheld the appeal and ruled both that the sign permit for modifications was improperly issued by staff and the existing sign was never permitted by City Code, and therefore illegal. The sign was removed by the property owner.

In April of 2007, an application for a conditional use permit was filed to install a 4' by 4' sign attached to decorative lampposts within the courtyard area. The Board denied the request on a vote of 3 in favor and 2 opposed. The property owner then reapplied for a 24 square feet building mounted sign, which was approved by the Board at the June 2007 meeting.

Mr. Steve Lierman, applicant, spoke. He and his siblings own Stonebridge Senior Living. He stated that all of their 13 facilities that they own have a sign similar to their request in the front yard of the properties. He stated that the sign would not only help with visitors in coming to the facility but also emergency vehicles, and that having a lighted sign would aid in helping people find their facility. He stated that out of the 7 Findings that are required, 5 are stated as being met in the staff report. Mr. Lierman stated that he did not understand why staff felt that the design and size of the proposed sign is out of character with the historic nature of the surrounding single family neighborhood. He stated that down the street is a nice neighborhood park which has a sign that is similar in design as what he is proposing. Chairman Partee responded by reminding Mr. Lierman that the Board could not speak regarding that issue, but only to the issue at hand. Mr. Lierman stated that the second finding not met according to staff pertains to lighting of the sign. Mr. Lierman stated that they did not have to have a sign lit, but it would be helpful for those who come to visit at night. The lights proposed would be the same as tiny 60 watt light bulbs, not spot lights, and regarding the location of the sign he stated that it would be placed as far back as possible, instead of near the curb.



The Board asked Mr. Lierman several questions and he responded.

No one else spoke in favor of the request.

Several spoke in opposition to the request. The following 7 guests spoke.

- Kathy Frazier, 1023 Adams St.  
She requested no commercial signs & no large signs. Would like the historic feel to stay. Front bedroom receives a lot of light from the facility at night. Prefers less lighting. Prefers no signs in the yard, but would accept sign on building.
- Alan Frazier, 1023 Adams St.  
Stated that he uses blacked-out curtains because of the lights at night. He feels no one has problems finding the facility and would accept a sign on the building.
- Christina Smith, 1021 Adams St.  
Has front bedroom, prefers no added lighting. Does not like business district, would like for it to remain a family area and keep its historical character.
- Robert Herman, 1005 Adams St.  
Has lived here for 46 years. Would like to keep it a family and residential neighborhood. Facility does not need a sign.
- Jim Bryant, 1002 Adams St.  
Neighborhood is very important because he as well as his neighbors have lived here for over 25 to 45 years. Nursing home has been a part of the neighborhood, however, he has never heard of anyone having trouble finding the nursing home. Would accept a sign on the wall and can be lighted.
- Jeanie Bryant, 1002 Adams St.  
Area was spot zoned years ago without the neighbors' approval. Spot zoning is not what the City likes to use, however, 1024 Adams Street was designated this in the 1960s. At that time the City did not provide a public hearing to allow the neighbors to provide input. Sign code says a sign can be attached, not free standing. Ms. Bryant submitted a petition that the neighbors had signed stating they did not want the free standing sign or illumination.
- Patricia Pollock, 1001 Adams St.  
She is concerned about the historical feel of the neighborhood. Signs are for advertisement. Does not want the neighborhood to become commercialized.

Chairwoman Partee asked the Applicant if he would like to provide rebuttal testimony.

Mr. Lierman stated that he did not expect this much opposition to the sign proposal, and that his facilities have always been able to blend into the neighborhoods. He stated that he is willing to work with these neighbors and with the City. His intent is to make this as nice as possible and he is hoping that both sides can work together and come to some kind of agreement.

The Chairwoman closed testimony.

Mr. Barron gave the Staff report. He stated that the staff analysis is that the required findings do not appear to be met. The design and size of the sign would be out of character with the historic nature of the adjacent residential neighborhood and the proposed lighting of the sign would conflict with the residential area, where lighted signs are discouraged.

Mr. Hake moved for approval of the proposed Conditional Use Permit for an on premise freestanding sign in a residential district to be placed parallel with Adams St as far back as possible from the curb with the condition that if lighted in the future, a maximum of 60 watts may be installed directed specifically at the front and back face of the sign. Mr. Rimiller seconded. After discussion a roll call vote was taken.

The motion failed 1-4 with the following votes.

Mr. Rimiller: no  
Ms. Partee: no  
Mr. Hake: yes  
Ms. Lacy: no  
Mr. Gammon: no

**7. Miscellaneous Reports.**

There were none.

**8. Other Business**

Approval of 2016 meeting schedule:

Mr. Barron presented the option to the Board of changing the meeting time to the evening. The Board agreed unanimously to keep their meetings in the morning.

Ms. Lacy moved for the adoption of the 2016 Meeting Calendar to continue as the 2<sup>nd</sup> Tuesday of each month at 7:30 A.M. and was seconded by Mr. Hake. Motion passed unanimously.

**9. Adjournment**

With no other business Chairwoman Partee adjourned the meeting at 9:10 a.m.

Respectfully submitted,

Diane Cary  
Administrative Technician



# **Jefferson City Board of Adjustment**

**December 8, 2015**

**Case No. B15005  
Helias Catholic High School  
Edward J. Twehous, Chairman of Building and Grounds  
1200 Myrtle Avenue**

**Conditional Use Permit**

**STAFF REPORT**  
**BOARD OF ADJUSTMENT – CITY OF JEFFERSON, MISSOURI**  
**December 8, 2015**

**Case No. B15005 – 1200 Myrtle Ave; Conditional Use Permit for Expansion of Private School.** Application filed by Helias High School for a conditional use permit to expand private high school facilities on approximately 14.5 acres including construction of a sports complex. The property is located on the northwest corner of Myrtle Avenue and Swifts Highway and is described as part of lots 13, 14 and 15 of Swift and Thompson's Subdivision, and all of lots 1 thru 10 of Block 17, all of lots 1 thru 14 of Block 18, and part of vacated Morris Street and vacated Elizabeth Street of Morris and Edmonds Subdivision, Jefferson City, Missouri (Central Missouri Professional Services, Consultant).

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**PUBLIC NOTICE**

By publication in the newspaper, letter to adjacent and affected property owners within 185 feet, and by property sign posting.

**NATURE OF REQUEST**

The applicant is requesting approval to expand private high school facilities onto adjacent property across Myrtle Avenue. Private schools, including associated facilities such as parking lots and sports fields, are a conditional use of the RS-2 zoning of the property.

The conditional use site plan envisions construction of a football stadium, tennis courts, soccer field, and track and field facilities. Several parking areas, locker rooms, and a 4 story press box for the football field and smaller press box for the soccer field are included in the plans.

**ZONING AND SURROUNDING LAND USE**

The subject property is zoned RS-2 Single Family Residential.

	Surrounding Zoning	Surrounding Uses
North	RA-2	Housing Authority Office
South	RS-2	Single Family Residential
East	PUD	Villa Panorama Condominium Complex
West	RS-2	Church

**STAFF ANALYSIS**

The conditional use site plan is preliminary in nature. Final site details would need to be submitted to city staff for review and administrative approval pending approval of the conditional use permit governing the land use approval and general layout of the proposed development.

Traffic access to the site is indicated off of Myrtle Avenue and from Swifts Highway via the adjacent Capital City Christian Church property to the west. Traffic volumes for the sports complex, while difficult to quantify, are not expected to exceed traffic volumes generated by the existing high school use and would likely occur at off peak times (different times from the normal morning/afternoon traffic associated with the school). Final review of traffic circulation plans, driveway locations, pedestrian circulation, etc, would be conducted administratively during review of the final site plan for the development.

Lighted athletic fields are required to be separated from adjacent residential property by a Type C Bufferyard. Adjacent property to the north is in use as an office for the Jefferson City Housing Authority, and a bufferyard would not be necessary for screening purposes from this commercial use. Adjacent property to the west is in use as a church, and the church has reviewed the plans and is in support of the project. Two single family residential properties have yet to be acquired by Helias, and the project is designed around these properties. While fencing associated with the bufferyard requirement would provide essentially zero screening of the athletic fields due to the terrain (the



houses sit about 40 feet above the level of the football field), bufferyard separation requirements should still apply.

Outdoor lighting for athletic fields are limited to a maximum height of 80 feet and cannot shed more than two footcandles of light upon the abutting property. The plan indicates that outdoor lighting will be designed so as to minimize spillover light onto neighboring properties.

Noise regulations, contained in Chapter 21 of the City Code, do not apply to activities conducted by public or private schools upon their property.

**CONDITIONAL USE PERMIT FINDINGS**

This application is subject to the required findings for conditional use permits outlined in Section 35-73.A of the Zoning code.

Staff analysis of required findings:

<b>Finding</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b>
The proposed use is consistent with the goals, objectives, and policies of the Comprehensive Plan.	X		Enhancement of the recreational and cultural climate of the City is a land use goal of the Comprehensive Plan.
The proposed use complies with all applicable provisions of the zoning district regulations and conforms to the general intent and purpose of the Zoning Ordinance	X		With the exception of separation requirements associated with bufferyard requirements, there are no known conflicts with the Zoning Code. Final site plan review would be undertaken in order to ensure compliance with all applicable City Code requirements.
The proposed use complies with all fire, health, building, plumbing, electrical and stormwater drainage regulations of the City and regulations of County, state and federal agencies.	X		There are no known conflicts with applicable regulations. Final site plan and building plan review would be undertaken in order to ensure compliance with all applicable regulations.
The proposed conditional use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.	X		The site is a logical expansion of the existing Helias High School facilities, sited on property that has remained vacant for many years and separated from most adjacent residential uses by street right of way.
The proposed use is compatible with and preserves the character and integrity of adjacent development and includes improvements to mitigate adverse development-related impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods.	X		The applicant has sought out comments from surrounding property owners and the site is separated from most of the surrounding properties by public streets.
The proposed use does not generate pedestrian and vehicular traffic which will be hazardous to the existing and anticipated traffic in the neighborhood.	X		The site is accessed by a collector street and the expected traffic volumes would occur at off peak times and are not anticipated to exceed existing traffic volumes in the area.
Adequate utilities exist to serve the proposed conditional use.	X		The area is served by adequate utilities.

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**STAFF ANALYSIS OF REQUIRED FINDINGS**

The required findings appear to be met subject to review of site plan details by city staff after final design of the site. The sports complex expansion of Helias High School is separated from most adjacent residential uses by City streets and the high school has sought out comments from neighbors and surrounding property owners. The site is a logical expansion of the existing Helias High School facilities and would enhance the athletic opportunities of students with comparably limited impacts on surrounding properties.

**FORM OF MOTION**

Motion for approval of the proposed conditional use permit for an expansion of private high school facilities subject to the following conditions.

1. Compliance with bufferyard separation requirements for remaining adjacent single family properties (barrier feature not required due to terrain).
2. Submittal of final site plan for administrative review by City Staff to ensure compliance with applicable city code requirements.



## CONDITIONAL USE FINDINGS

### General Findings Section 35-73.A.4

The Board **shall** find for all Conditional Uses, or establish provisions therefor, that the Conditional Use will:

a.	The proposed use is consistent with the goals, objectives and policies of the Comprehensive Plan; and	YES	NO
b.	The proposed use complies with all applicable provisions of the zoning district regulations and shall conform to the general intent and purpose of the Zoning Ordinance; and		
c.	The proposed use complies with all fire, health, building, plumbing, electrical and stormwater drainage regulations of the City and regulations of County, state and federal agencies; and		
d.	The proposed conditional use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity; and		
e.	The proposed use is compatible with and preserves the character and integrity of adjacent development and includes improvements to mitigate adverse development-related impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods; and		
f.	The proposed use does not generate pedestrian and vehicular traffic which will be hazardous to the existing and anticipated traffic in the neighborhood; and		
g.	Adequate utilities exist to serve the proposed conditional use.		

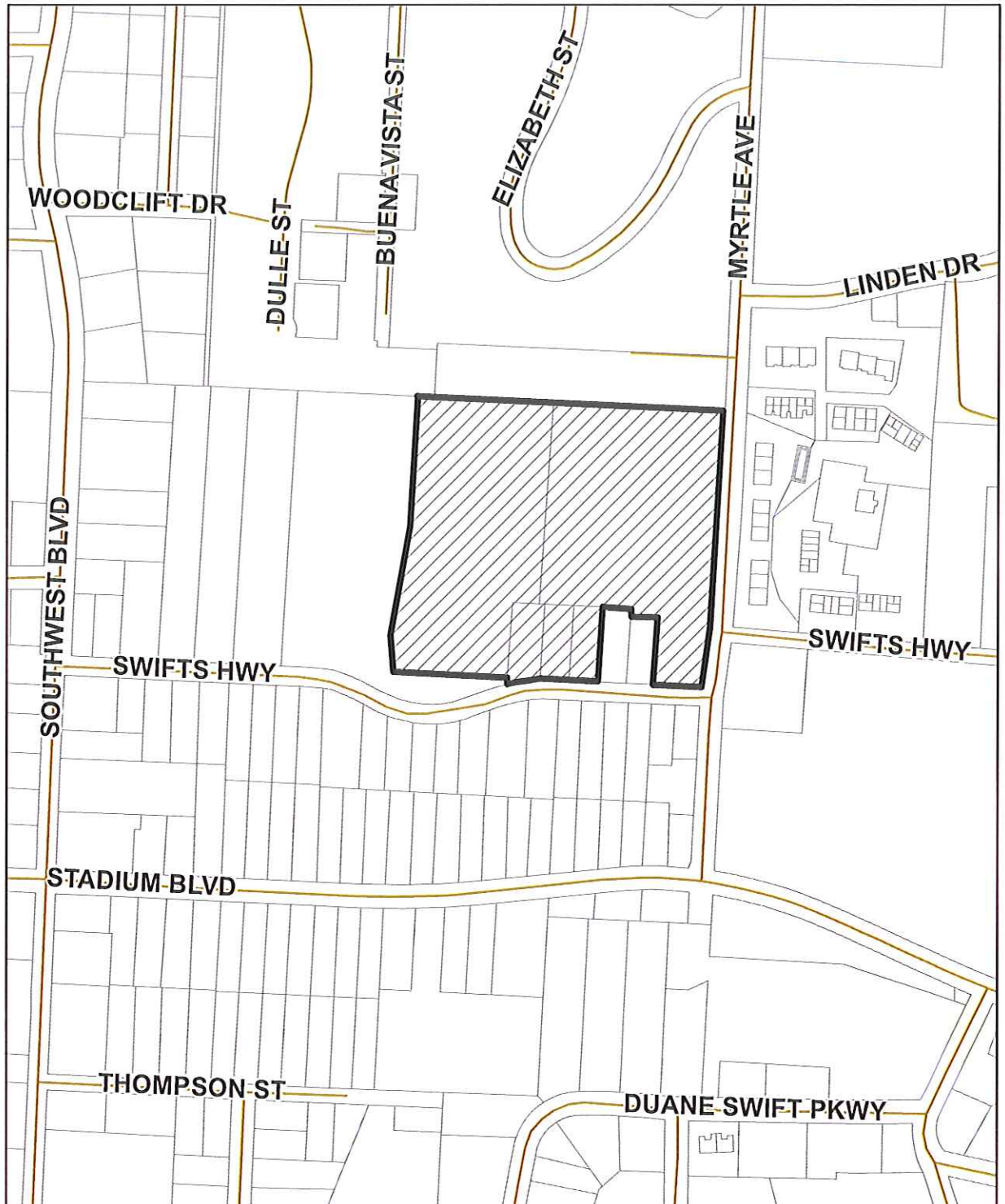
### Conditions Section 35-73.A.5

The Board may impose conditions to ensure that the Conditional Use **will not**:

		YES	NO
a.	No conditional use shall be enlarged, extended, increased in intensity or relocated unless an application is made for a new Conditional Use Permit in accordance with the procedures set forth in this Section.		
b.	Development of the use shall not be carried out until the applicant has secured all the permits and approvals required.		
c.	Signage for the use may be limited to protect the neighborhood character. A residence in which one or more home occupations has been permitted shall be limited to one sign, attached to the building, with a maximum size of one square foot, regardless of the number of home occupations operated from the residence.		
d.	Due to the operational intensity and nature of the proposed use and the physical development characteristics, the height, bulk and lot coverage, shall be as specified in the permit.		
e.	The building materials and architectural style of the building and related structures shall be consistent with and similar to those of adjacent buildings and as specified in the permit.		
f.	The Board may determine the type and extent of the bufferyard, and whether a bufferyard is required to mitigate impacts of a proposed conditional use upon adjacent properties, using Section 35-59 as a guide.		

# City of Jefferson Board of Adjustment

## VICINITY



Case No. B15005  
Conditional Use Permit  
Private High School Sports Complex  
1200 Myrtle Ave.

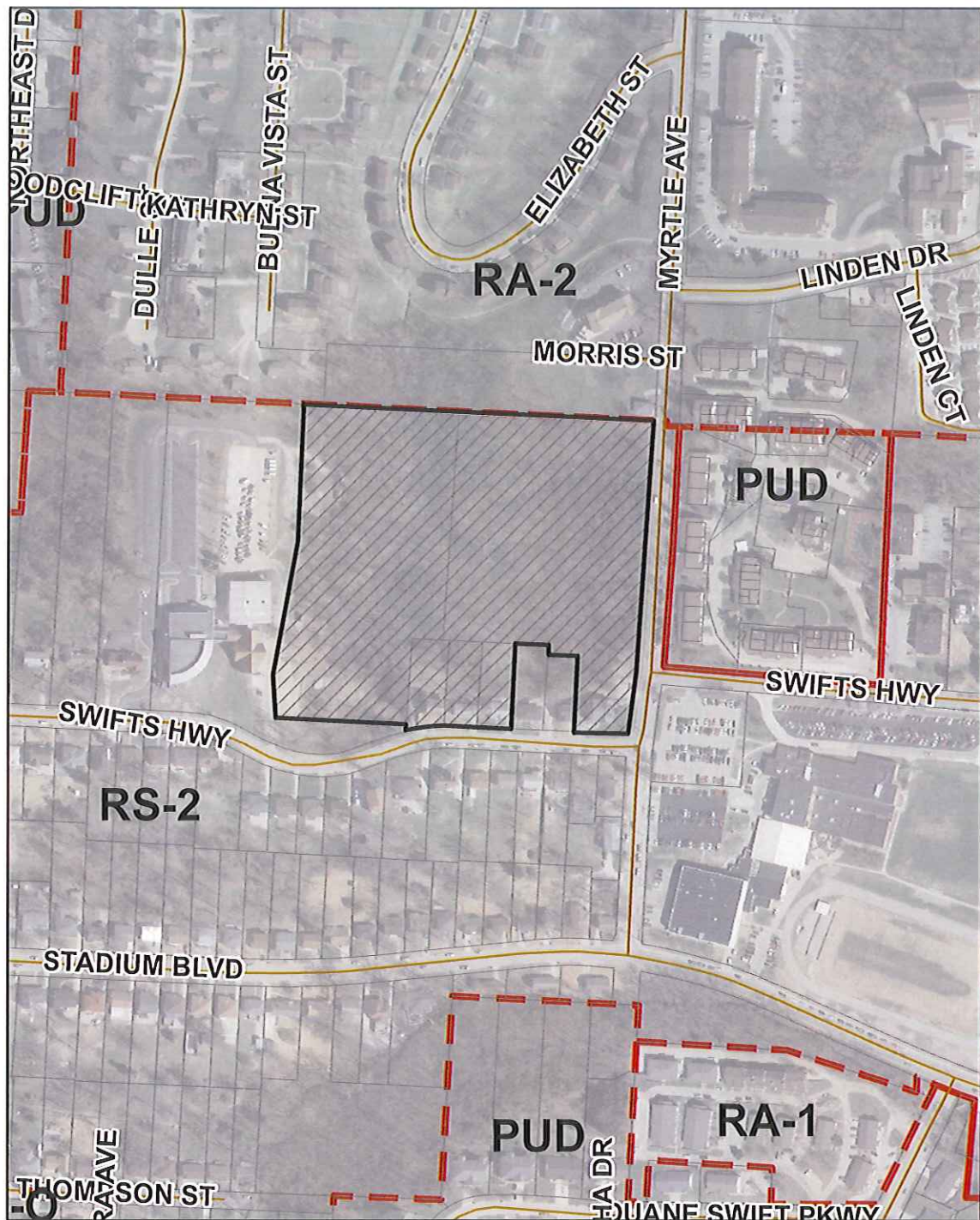
0 137.5 275 550 Feet





# City of Jefferson Board of Adjustment

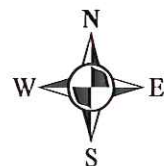
## LOCATION MAP



0 130 260 520 Feet



Case No. B15005  
Conditional Use Permit  
Private High School Sports Complex  
1200 Myrtle Ave.





# APPLICATION TO THE BOARD OF ADJUSTMENT

City of Jefferson  
Department of Planning & Protective Services  
320 East McCarty Street  
Jefferson City, Missouri 65101  
Phone (573) 634-6410 Fax (573) 634-6457

Date filed:

1. The undersigned hereby request(s) the following:  
☐ Appeal (Section 35-73C)  
☒ Conditional Use Permit (Section 35-73A; Section 35-71, Site Plan)  
☐ Variance (Section 35-73B; Section 35-71, Site Plan)  
☐ Chapter 3, Advertising and Signs: Conditional Use Sign Permit  
☐ Chapter 8, Article V, Flood Hazard Regulations; Variance to Flood Hazard Regulations  
☐ Other (including Interpretations; please describe in #2 below)
2. Describe exactly the type of project proposed or what is being requested and the purpose of the request. Cite affected Section numbers if known (or attach separate sheet).  
Construct a Sports Complex for Helias Catholic High School on property owned by the School at the northwest Corner of Myrtle and Swifts Highway on property Zoned RS-2 and RA-2.  
(See Attached Site Plan).
3. The application is filed for the following described real estate: (the correct legal description of the property must be printed below or attached to this application).  
A. Street Address: 1305 Swifts Highway 1200 Myrtle Ave.  
B. Property Description: See Attached
4. A site plan in accordance with Section 35-71 is required for conditional use permits and variance applications. A "sketch" site plan may be required for other applications such as conditional use sign applications. A check in the amount of \$206.00\* payable to the "City of Jefferson" for the application filing fee must be attached to this application. \*Approved by the City Council on May 28, 2013
5. Variance applicants must complete the attached Variance Affidavit. Each question must be answered and the affidavit must be signed by the applicant(s) and notarized.
6. The undersigned certify to be all of the owner(s) of the above described property. (All owners of this property must sign and the signatures must be notarized).

Edward J. Twehous, Chairman of Building and Grounds

Property Owner Name (type or print)

  
Property Owner Signature

Property Owner Name (type or print)

Property Owner Signature

GREGORY DORGE  
Notary Public in and for the State of Missouri  
Cole County  
Commission # 11207069  
My Commission Expires: 08/20/2015

Subscribed and sworn to before me this

12th day of FEBRUARY, 2015



Notary Public

Applicant (if different from property owner):

Name

Address

Phone Number

Specific information may be required depending upon type of application. Please refer to the appropriate Chapter. Other permits, including building permits and sign permits may be required in addition to Board actions. Please seek advice of City staff or your consultant, if applicable.

Individuals should contact the ADA Coordinator at (573) 634-6570 to request accommodations or alternative formats as required under the Americans with Disabilities Act. Please allow three business days to process the request.

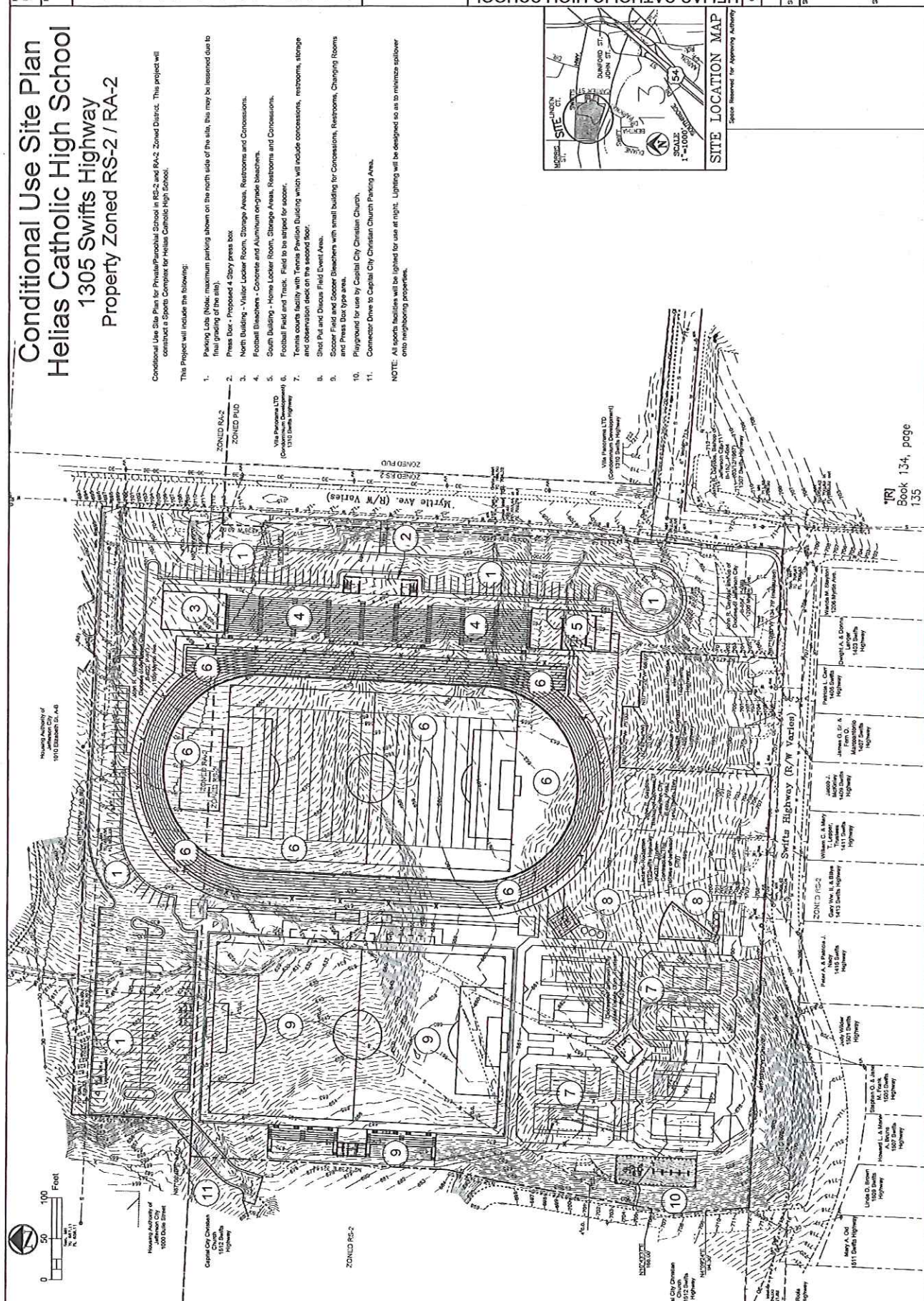


Housing Authority of  
Jefferson City  
910 Elizabeth St., A-B

A vertical scale bar labeled "Feet" with markings at 0, 50, and 100.

size spillover

\*[R]  
Book 134, page  
135





## Barron, Eric

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**From:** Brian McMillian <bmcmillian@cmps-inc.com>  
**Sent:** Wednesday, November 18, 2015 6:27 PM  
**To:** Barron, Eric  
**Subject:** Fwd: Helias CUP Permit

See response to your question from Helias....

Sent from my iPhone

Begin forwarded message:

**From:** Edward J Twehous <[ed.twehous@twehous.com](mailto:ed.twehous@twehous.com)>  
**Date:** November 18, 2015 at 6:22:31 PM CST  
**To:** "Brian McMillian" <[bmcmillian@cmps-inc.com](mailto:bmcmillian@cmps-inc.com)>  
**Cc:** "Mike Bates" <[mbates@cmps-inc.com](mailto:mbates@cmps-inc.com)>, Cary Gampher <[CGampher@thearchitectsalliance.com](mailto:CGampher@thearchitectsalliance.com)>  
**Subject:** RE: Helias CUP Permit

Brian

We've notified and personally talked to all of the neighbors immediately adjacent to the sports complex...none have expressed any major concerns. I expect that we will end buying all of the houses adjacent to the project.

We've held a couple of public forums at the campus and some of the neighbors have shown up. We've only had one complainer at those meetings and his complaint was with the "way our students drive"...not the project. We had a few neighbors from directly across Swifts from the project at our events and there were no concerns expressed. We've spoke with a few of the people in Villa Panorama development and we've had no concerns expressed.

Capital City Christian Church is in full support of our project and we have that in writing.

Alan Pollok with the Jefferson City Housing Authority stated that he and his board were fully supportive of the project the last time I spoke with him. Their only concern is access across the old Morriss Street easement and we fully intend to honor that commitment.

The neighbors on Carter Street are all aware of the changes to the football field and that it will become a baseball field. There have been no concerns expressed at this time.

The project has been written up in the local newspaper several times, we've hand delivered brochures showing the project details to the neighbors, we've held two public comment forums and a couple of more informational forums. I think we've been talking about this for so long everyone has come to accept the fact that this is happening.... but that doesn't keep someone from coming up with a new concern.

*Edward J Twehous, Vice President  
Twehous Excavating Company Inc*



## PROPERTY BOUNDARY DESCRIPTION for Board of Adjustment

Helias Sports Complex – Northwest Corner of Myrtle and Swifts Highway

### TRACT 1

Part of Lots 13, 14 and 15 of Swift and Thompson's Subdivision of record in Plat Book 1, page 9, Cole County Recorder's Office, being situated in the Northeast Quarter of the Northwest Quarter of Section 13, Township 44 North, Range 12 West; All of Lots 1 thru 10 of Block 17, all of Lots 1 thru 14 of Block 18, part of the vacated street right-of-ways known as Morris Street and Elizabeth Street of the Morris and Edmonds Subdivision of record in Plat Book 2, page 19, Cole County Recorder's Office, being situated in the Southeast Quarter of the Southwest Quarter of Section 12, Township 44 North, Range 12 West, all in the City of Jefferson, Cole County, Missouri, more particularly described as follows:

From the Northeast corner of Lot 15 of the aforesaid Swift and Thompson's Subdivision being common to the northeast corner of the Northwest Quarter of said Section 13, Township 44 North, Range 12 West; thence N87°06'40"W, along the Section Line, 30.00 feet to a point on the westerly line of the Myrtle Street Right-of-way at the southeasterly corner of Lot 1 of Block 18 of the aforesaid Morris and Edmonds Subdivision and the POINT OF BEGINNING for this description; thence continuing N87°06'40"W, along the Section Line, 15.00 feet to the westerly line of the Myrtle Street right-of-way as conveyed to the City of Jefferson, Missouri, by Special Easement for Road described in Book 213, page 378, Cole County Recorder's Office, being common to the easterly boundary of Tract 1 of the property described by deed of record in Book 557, page 89, Cole County Recorder's Office; thence S2°48'38"W, along said Myrtle Street right-of-way line, described in Book 213, page 378 and along the easterly boundary of said Tract 1 of the property described in Book 557, page 89, 50.00 feet to the southeasterly corner thereof, being a point on the northerly boundary of the property described by deed of record in Book 550, page 916, Cole County Recorder's Office; thence S87°06'40"E, along said Myrtle Street right-of-way line, described in Book 213, page 378 and along the northerly boundary of said property described in Book 550, page 916, 5.00 feet to the westerly line of the Myrtle Street right-of-way as conveyed to the City of Jefferson, Missouri, by Special Easement for Road described in Book 213, page 376, Cole County Recorder's Office; thence S2°48'38"W, along said Myrtle Street right-of-way line, described in Book 213, page 376, 648.00 feet to a point on the southerly line of the aforesaid Lot 15 of Swift and Thompson Subdivision, being 40.00 feet westerly from the southeasterly corner thereof, on the southerly boundary of the aforesaid property described in Book 550, page 916, common to the northerly line of the 50.00 foot wide street right-of-way known as Swifts Highway; thence, along the boundary of said property described in Book 550, page 916, the following courses: N87°10'20"W, along said Swifts Highway right-of-way line, being the southerly line of said Lot 15 of Swift and Thompsons Subdivision, 134.79 feet to the southeasterly corner of the property described by deed of record in Book 603, page 420, Cole County Recorder's Office; thence N2°47'54"E, along the easterly boundary of said property described in Book 603, page 420, 170.00 feet to the northeasterly corner thereof; thence N87°10'20"W, along the northerly boundary of said property described in Book 603, page 420, 68.00



feet to the northwesterly corner thereof and said corner being on the easterly boundary of the property described by deed of record in Book 571, page 238, Cole County Recorder's Office; thence  $N2^{\circ}47'54''E$ , along the easterly boundary of said property described in Book 571, page 238, 20.00 feet to the northeasterly corner thereof; thence  $N87^{\circ}10'20''W$ , along the northerly boundary of said property described in Book 571, page 238, 75.00 feet to the northwesterly corner thereof and said corner being the northeasterly corner of the property described by deed of record in Book 609, page 982, Cole County Recorder's Office; thence leaving the boundary of the aforesaid property described in Book 550, page 916,  $S2^{\circ}47'54''W$ , along the common boundary of said properties described in Book 571, page 238 and Book 609, page 982, 190.00 feet to a common corner thereof, being a point on the southerly line of the aforesaid Lot 15 of Swift and Thompson's Subdivision and the northerly line of the aforesaid Swifts Highway right-of-way; thence  $N87^{\circ}10'20''W$ , along said Swifts Highway right-of-way line, being the southerly line of said Lot 15 and Lot 14 of said Swift and Thompson's Subdivision, also being the southerly boundaries of those properties described by deeds of record in Book 609, page 982, Book 261, page 735, Book 567, page 60 and a certain survey of record in Survey Record Book B, page 290 and subsequent deed of record in Book 629, page 646, Cole County Recorder's Office, 529.70 feet to the southwest corner of said Tract A in Survey Record B, page 290 and Subsequent deed of record in Book 629, page 646; thence, along the westerly boundary thereof, the following courses:  $N4^{\circ}09'24''W$ , 94.30 feet; thence  $N10^{\circ}43'37''E$ , 53.00 feet; thence  $N9^{\circ}56'38''E$ , 168.00 feet; thence  $N12^{\circ}25'14''E$ , 65.00 feet; thence  $N2^{\circ}52'39''E$ , 321.94 feet to a point on the north line of the Northwest Quarter of the aforesaid Section 13, said point being on the south line of Block 17 of the aforesaid Morris and Edmonds Subdivision; thence  $S87^{\circ}06'40''E$ , along the south line of said Block 17, 44.27 feet to the southwest corner of Lot 10 thereof; thence leaving the boundary of the aforesaid Tract A and Subsequent deed of record in Book 629, page 646,  $N2^{\circ}35'35''E$ , along the west line of said Lot 10 of Block 17 and along the northerly extension thereof, 149.95 feet to a point on the north line of the aforesaid vacated Morris Street right-of-way, being on the southerly line of Block 14 of said Morris and Edmonds Subdivision, at the southwest corner of Lot 19 thereof; thence  $S87^{\circ}18'25''E$ , along said vacated Morris Street right-of-way line, being the south line of said Block 14 and the easterly extension thereof and along the south line of Block 13 of said Morris and Edmonds Subdivision, 745.86 feet to the southeast corner of Lot 28 of said Block 13, being a point on the westerly line of the aforesaid Myrtle Street right-of-way; thence  $S2^{\circ}48'55''W$ , along said Myrtle Street right-of-way line, being the east end of the aforesaid vacated Morris Street right-of-way and the east line of Lot 1 of Block 18 of said Morris and Edmonds Subdivision, 152.50 feet to the POINT OF BEGINNING.



## **City of Jefferson**

Department of Planning & Protective Services  
320 E. McCarty St.  
Jefferson City, MO 65101



## **Carrie Tergin, Mayor**

Janice McMillan, AICP, Director  
Phone: 573-634-6410  
Fax: 573-634-6562

November 24, 2015

Dear Property Owner:

This letter is to notify you that the Jefferson City Board of Adjustment will meet at 7:30 a.m. on the morning of Tuesday, December 8, 2015 in the Council Chambers of the John G. Christy Municipal Building, 320 E. McCarty Street, to consider the following item of business:

**Case No. B15005 – 1200 Myrtle Ave; Conditional Use Permit for Expansion of Private School.** Application filed by Helias High School for a conditional use permit to expand private high school facilities on approximately 14.5 acres including construction of a sports complex. The property is located on the northwest corner of Myrtle Avenue and Swifts Highway and is described as part of lots 13, 14 and 15 of Swift and Thompson's Subdivision, and all of lots 1 thru 10 of Block 17, all of lots 1 thru 14 of Block 18, and part of vacated Morris Street and vacated Elizabeth Street of Morris and Edmonds Subdivision, Jefferson City, Missouri (Central Missouri Professional Services, Consultant).

As an adjoining landowner and/or neighbor, you have the privilege of attending this hearing. Unfortunately, we are unable to record comments received by telephone, but written comments will be made part of the official record. Written comments may be directed to the Board of Adjustment in one of the following ways:

e-mail: [jcplanning@jeffersoncitymo.gov](mailto:jcplanning@jeffersoncitymo.gov)

fax: Department of Planning & Protective Services, Planning Division, 573-634-6457

mail: Department of Planning & Protective Services / Planning Division  
John G. Christy Municipal Building, 320 E. McCarty Street, Jefferson City, MO 65101

Written comments must be received before 5:00 p.m. Monday, December 7, 2015 and will be copied and distributed to Board members at the meeting. Correspondence and other items received at the time of the meeting will be included in the official record, but may be delivered to the Chairman only; there is no guarantee that copies will be made for distribution to all Board members. Interested parties who are unable to provide written comment in advance are invited to deliver their comments to the Board Chairman at the time of the meeting.

Information regarding this case may be viewed on the Board of Adjustment webpage at:

<http://www.jeffersoncitymo.gov/pps/planning/boardofadjustment.html>

If you have any questions concerning this matter, please feel free to contact me at 573-634-6475.

Sincerely,

A handwritten signature in blue ink that reads 'Eric Barron'.

Eric Barron, AICP  
Senior Planner

Individuals should contact the ADA Coordinator at (573) 634-6570 to request accommodations or alternative formats as required under the Americans with Disabilities Act. Please allow three business days to process the request.

HICKS, MARK & MARIAN S  
2524 JENNIFER DR  
JEFFERSON CITY, MO 65101  
1310 SWIFTS HWY UNIT G202

RICE, CARL E & MARJORIE A TRUSTEES  
1310 SWIFTS HWY  
UNIT G101  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT G101

MISSOURI PHARMACEUTICAL ASSN  
211 E CAPITOL AVE  
JEFFERSON CITY, MO 65101  
1310 SWIFTS HWY UNIT G304

KEMNA, LESLIE  
1310 SWIFTS HWY  
#G105  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT G105

FERGUSON, ROBERT  
1310 SWIFTS HWY  
#A204  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT A204

WASSON, J M  
7002 CALABASH  
NIXA, MO 65714  
1310 SWIFTS HWY UNIT A203

HOHENSTREET, GLORIA  
1310 SWIFTS HWY  
#D105  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT D105

PARKER, CHRISTOPHER L  
PARKER, GERALD DOUGLAS TRUST  
PARKER, ANDREW J  
411 CREST DR  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT D101

LAMBERT, SHAREN  
1310 SWIFTS HWY  
#D201  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT D201

VAHRENBERG, PEGGY JO  
1310 SWIFTS HWY  
#I101  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT I101

DUNVILLE, MARY A  
1310 SWIFTS HWY  
#I201  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT I201

WEISER, JENNIFER L  
1310 SWIFTS HWY  
#I-301  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT I301

HOFFMAN, SANDRA K  
TRUSTEES  
14214 RT A  
RUSSELLVILLE, MO 65074  
1310 SWIFTS HWY UNIT I302

WOLFE, MARYLYN E  
1310 SWIFTS HWY  
#H104  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT H104

KEARNEY, NEIL E  
1310 SWIFTS HWY  
#H203  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT H203

LAND, CLARA  
1310 SWIFTS HWY  
#H-103  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT H103



HUG, KATIE MAUREEN  
1310 SWIFTS HWY  
#H202  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT H202

PRIEST, HAROLD A & SALLY J  
1310 SWIFTS HWY  
#F101  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT F101

SMITH, FRANCES M  
1310 SWIFTS HWY  
#H102  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT H102

DUSHEKE, LEONARD H & ANGELINE C  
1310 SWIFTS HWY  
#F102  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT F102

IVEN, ROBIN L  
1310 SWIFTS HWY  
#H101  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT H101

CROSS, KYLE C  
1310 SWIFTS HWY  
#F-103  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT F103

INGALLS, KEVIN L & LINDA J  
1310 SWIFTS HWY  
#P101  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT P101

BOLDEN, CLARA  
BOLDEN, RANDALL & LINDA  
1310 SWIFTS HWY  
#K103  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT O201

GOEBEL, BARBARA M  
TRUSTEE  
1310 SWIFTS HWY  
#C101  
JEFFERSON CITY, MO 65109-6609  
1310 SWIFTS HWY UNIT C101

CRADER, MARY S  
1310 SWIFTS HWY  
#E103  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT E103

RING, IRENE  
% JUDY RING  
TRUSTEE  
8020 MAPLE LN  
PRAIRIE VILLAGE, KS 66208  
1310 SWIFTS HWY UNIT C102

DILLARD, CATHY A  
1310 SWIFTS HWY  
#E102  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT E102

BARNES, MICHAEL L & DENISE E  
TRUSTEES  
1310 SWIFTS HWY  
C-103  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT C103

BUCHTA, GREGORY G & LAURA  
1208 MYRTLE AVE  
JEFFERSON CITY, MO 65109  
1208 MYRTLE AVE

LENGER, DWIGHT A & DONNA  
1403 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1403 SWIFTS HWY

HOUSING AUTHORITY OF JEFFERSON CITY  
PO BOX 1029  
JEFFERSON CITY, MO 65102  
1000 DULLE ST

CARR, PATRICIA L  
1405 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1405 SWIFTS HWY

ROLING, RAYMOND J & LORRAINE M  
902 SOUTHWEST BLVD  
JEFFERSON CITY, MO 65109  
1310 LINDEN DR REAR

MARCANTONIO, JAMES G SR & FERN O  
1407 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1407 SWIFTS HWY

VILLA PANORAMA LTD  
1310 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT G

MCKINLEY, JACOB J  
1409 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1409 SWIFTS HWY

MILLER, CHRISTOPHER G  
1310 SWIFTS HWY  
#G-201  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT G201

LEPPER, WILLIAM C & MARY T  
TRUSTEES  
1411 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1411 SWIFTS HWY

MEYER, CHARLES CLAY & RENEE M  
2200 N ALBANY  
BOLIVAR, MO 65613  
1310 SWIFTS HWY UNIT G303

BOND, GARY W II & BILLYE  
1413 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1413 SWIFTS HWY

SIMMONS, CHIQUITA  
PO BOX 104631  
JEFFERSON CITY, MO 65110-4631  
1310 SWIFTS HWY UNIT G203

NACY, PETER A & PATRICIA J  
1415 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1415 SWIFTS HWY

SMITH, CARL N II  
1310 SWIFTS HWY  
UNIT G104  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT G104

OLD, MARY A  
1511 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1511 SWIFTS HWY

BRONSON, DONNA J  
1310 SWIFTS HWY  
UNIT G103  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT G103

HOSE, ANTHONY & STEPHANIE  
2103 S COUNTRY CLUB DR  
COLUMBIA, MO 65201  
1603 SWIFTS HWY



CLUTTER, DENISE E  
1310 SWIFTS HWY  
UNIT G102  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT G102

DEEKEN, ROBERT E SR  
1310 SWIFTS HWY  
#D205  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT D205

GLASSNER, RICHARD H & TERRI M  
1310 SWIFTS HWY  
#K101  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT K101

KRUSE, DONALD J & GRACE D  
1310 SWIFTS HWY  
I-102  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT I102

WEHMEYER, KATHLEEN M  
1310 SWIFTS HWY  
#K102  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT K102

HAMMEN, JAMES O & A VICTORIA  
TRUSTEES  
1310 SWIFTS HWY  
#I103  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT I103

BOLDEN, CLARA C  
1310 SWIFTS HWY  
UNIT K103  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT K103

DUNVILLE, TIMOTHY E  
1310 SWIFTS HWY  
#I202  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT I202

KLEIN, COLLEEN S & MICHAEL LEE  
1310 SWIFTS HWY  
UNIT J103  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT J103

SCHROEDER, ELSIE T  
1310 SWIFTS HWY  
#I203  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT I203

VAHRENBERG, EMIL L & VIVIAN A  
TRUSTEES  
1310 SWIFTS HWY  
#J102  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT J102

LANGE, WILLIAM H & JAN M  
1310 SWIFTS HWY  
#H201  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT H201

WALZ, JUDY E  
1310 SWIFTS HWY  
#J101  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT J101

BOLDEN, CLARA C  
1310 SWIFTS HWY  
#K103  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT O101

NEILL, LAWRENCE D  
TRUSTEE  
5217 HWY 50 W  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT E101

R & S BUILDERS  
% SUSAN A MOORE  
206 MADELINES PARK CIR  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT A102

STAYTON, WANDA M  
1206 MYRTLE AVE  
JEFFERSON CITY, MO 65109  
1206 MYRTLE AVE

BUCKLEY, PAUL S III  
1310 SWIFTS HWY  
UNIT A-103  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT A103

WILDER, JUDY  
1501 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1501 SWIFTS HWY

FORD, MICHELLE M  
DUKE, MICHAEL E  
1310 SWIFTS HWY  
#A104  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT A104

FRANK, STEPHEN O & JANE M  
2714 SCHOTT RD  
JEFFERSON CITY, MO 65101  
1505 SWIFTS HWY

DAVENPORT, VICKIE A  
1310 SWIFTS HWY  
#A202  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT A202

BRUNS, HOWARD L & MARIE A  
1507 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1507 SWIFTS HWY

BROWN, DAN W & KATHY  
10659 LAKEMONT DR  
ROLLA, MO 65401  
1310 SWIFTS HWY UNIT A201

BROWN, LINDA D  
1509 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1509 SWIFTS HWY

BOOK, JOHN E & JEANETTE F  
1310 SWIFTS HWY  
#B204  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT B204

RIOLA, MERLITA B  
1601 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1601 SWIFTS HWY

HOUSING AUTHORITY OF JEFFERSON CITY  
PO BOX 1029  
JEFFERSON CITY, MO 65102  
1010 ELIZABETH ST A-B

COFFMAN, SUSAN L  
% IDEL, DORIS E  
IDEL, DORIS E  
2421 COUNTRY CLUB DR  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT B201

LUEBBERT, JAMES J & RAMONA E  
1310 SWIFTS HWY  
#A-101  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT A101

LEYDENS, HAROLD L & M FRANCES  
2343 HATTING PL  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT B104



BOON, N NADINE  
35 EAGLE COVE LN  
ST CHARLES, MO 63303  
1310 SWIFTS HWY UNIT B103

HIGHTOWER, LARRY W &  
CROSS, G DENISE  
1310 SWIFTS HWY #B101  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT B101

TAYLOR, REBECCA M  
1310 SWIFTS HWY #B-102  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT B102

SMITH, SARA R  
1310 SWIFTS HWY  
#D104  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT D104

MEHRHOFF, STANLEY E  
PO BOX 1761  
JEFFERSON CITY, MO 65102  
1310 SWIFTS HWY UNIT D103

CASTROP, MARK A  
1310 SWIFTS HWY  
#D102  
JEFFERSON CITY, MO 65109  
1310 SWIFTS HWY UNIT D102

RITTER, JOSEPH E ARCHBISHOP OF  
% HELIAS HIGH SCHOOL  
ST LOUIS HELIAS HIGH SCHOOL  
1305 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1305 SWIFTS HWY

GAYDOS, JOHN R  
BISHOP OF DIOCESE OF JEFFERSON CITY  
PO BOX 104900  
JEFFERSON CITY, MO 65110  
1200 MYRTLE AVE (*Subject Property*)  
1410 SWIFTS HWY  
1414 SWIFTS HWY  
1307 Swifts Hwy  
1106 Myrtle Ave

THOMAS, JAMES J & ELIZABETH W  
MCELWAINE, KEITH A & JULIE  
1301 VISTA TIERRA  
JEFFERSON CITY, MO 65109  
1404 SWIFTS HWY

CRAWFORD, JOSHUA A & AMANDA B  
1406 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1406 SWIFTS HWY

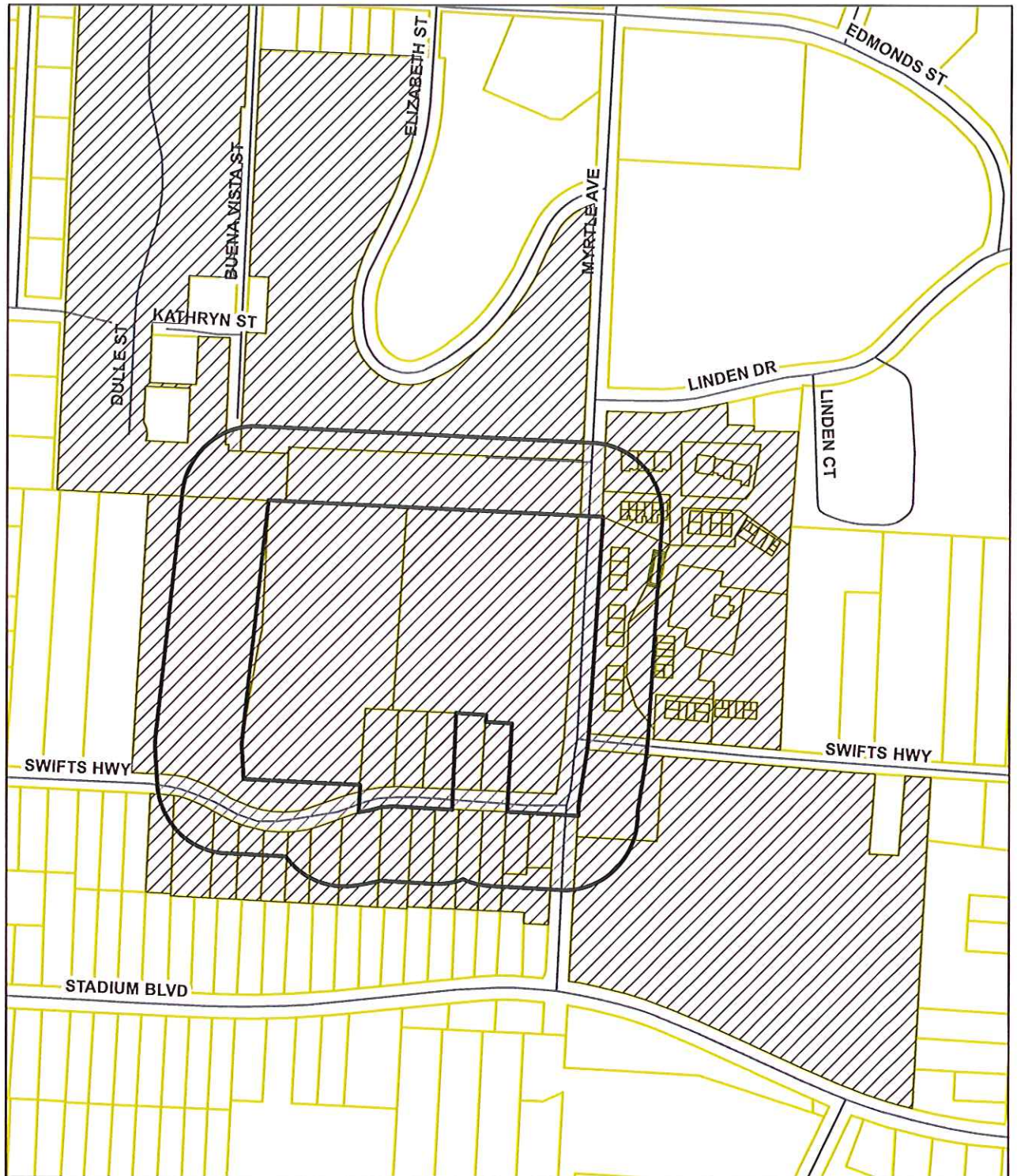
RODEMAN, LINDA K  
1412 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1412 SWIFTS HWY

CAPITAL CITY CHRISTIAN CHURCH  
1512 SWIFTS HWY  
JEFFERSON CITY, MO 65109  
1512 SWIFTS HWY

Case No. B15005  
Conditional Use Permit  
Private High School Sports Complex  
1200 Myrtle Ave.



185 ft. Notification Buffer





# **Jefferson City Board of Adjustment**

**December 8, 2015**

**Case No. B15006  
F & F Development LLC  
HALO Foundation  
3519 Bennett Lane**

**Conditional Use Permit  
Assisted Living Facility for Homeless Youth**

**STAFF REPORT**  
**BOARD OF ADJUSTMENT – CITY OF JEFFERSON, MISSOURI**  
**December 8, 2015**

**Case No. B15006 – 3519 Bennett Lane; Conditional Use Permit for Assisted Living Facility.** Application filed by F and F Development, property owner, on behalf of The HALO Foundation, applicant, for a conditional use permit to operate an assisted living facility in a RU Rural zoning district. The property is located on Bennett Lane 1500 feet south of Christy Drive and is described as part of the NE Quarter of the SE Quarter of Section 26, Township 44 North, Range 12 West, Jefferson City, Missouri (Central Missouri Professional Services, Consultant).

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**PUBLIC NOTICE**

By publication in the newspaper, letter to adjacent and affected property owners within 185 feet, and by property sign posting.

**NATURE OF REQUEST**

The applicant is requesting approval to use the property, formerly known as the Rickman Center, as an assisted living facility for homeless youth. The property is zoned RU Rural, and was recently acquired by F&F Development from The Christian Church (Disciples of Christ) of Mid-America. Assisted living facilities are a Conditional Use of the RU zoning district.

The HALO Foundation would occupy the facility, and would remodel it to meet their needs. A construction plan consisting of multiple phases is outlined within the application materials. The construction plans envision a total of 14 residential units within the main building, and a learning center, dining area, and laundry room.

**ZONING AND SURROUNDING LAND USE**

The subject property is zoned RU Rural.

	Surrounding Zoning	Surrounding Uses
North	Proposed C-2	Undeveloped
South	Unincorporated	Undeveloped
East	Unincorporated	Single Family Residential
West	Unincorporated	Single Family Residential

**STAFF ANALYSIS**

The structure proposed for use as an assisted living facility is only one of several structures on the former Rickman Center property. The portion of the property proposed with this application is located at the southern end of Bennett Lane, a private drive off of Christy Drive that serves the property. The building is surrounded by woods and is separated from the nearest adjacent property by approximately 600 feet. The residential nature of an assisted living facility combined with the large separation from adjacent properties would result in a minimal impact of the use from a land use perspective.



### **CONDITIONAL USE PERMIT FINDINGS**

This application is subject to the required findings for conditional use permits outlined in Section 35-73.A of the Zoning code.

Staff analysis of required findings:

<b>Finding</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b>
The proposed use is consistent with the goals, objectives, and policies of the Comprehensive Plan.	X		The Comprehensive Plan identifies the property as intended for Public/Semi-Public use. The proposed use would fit the Public/Semi-Public use category.
The proposed use complies with all applicable provisions of the zoning district regulations and conforms to the general intent and purpose of the Zoning Ordinance	X		The proposal meets applicable Zoning Code requirements.
The proposed use complies with all fire, health, building, plumbing, electrical and stormwater drainage regulations of the City and regulations of County, state and federal agencies.	X		There are no known conflicts with applicable regulations. Construction and occupation of the building would be subject to applicable inspections.
The proposed conditional use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.	X		The portion of the property dedicated to HALO use consists of approximately 40 acres and the building is well separated from other adjacent properties.
The proposed use is compatible with and preserves the character and integrity of adjacent development and includes improvements to mitigate adverse development-related impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods.	X		In addition to being well separated from neighboring properties, the residential nature of the use would not conflict with surrounding residential uses.
The proposed use does not generate pedestrian and vehicular traffic which will be hazardous to the existing and anticipated traffic in the neighborhood.	X		The site is accessed via a private lane with good access from Christy Drive. Expected traffic generation would be minimal.
Adequate utilities exist to serve the proposed conditional use.	X		The area is served by adequate utilities.

### **STAFF ANALYSIS OF REQUIRED FINDINGS**

The required findings appear to be met. The proposed assisted living facility would have a minimal effect on the area and is well separated from adjacent properties.

### **FORM OF MOTION**

Motion for approval of the proposed conditional use permit for an assisted living facility.

## CONDITIONAL USE FINDINGS

### General Findings Section 35-73.A.4

The Board **shall** find for all Conditional Uses, or establish provisions therefor, that the Conditional Use will:

a.	The proposed use is consistent with the goals, objectives and policies of the Comprehensive Plan; and	YES	NO
b.	The proposed use complies with all applicable provisions of the zoning district regulations and shall conform to the general intent and purpose of the Zoning Ordinance; and		
c.	The proposed use complies with all fire, health, building, plumbing, electrical and stormwater drainage regulations of the City and regulations of County, state and federal agencies; and		
d.	The proposed conditional use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity; and		
e.	The proposed use is compatible with and preserves the character and integrity of adjacent development and includes improvements to mitigate adverse development-related impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods; and		
f.	The proposed use does not generate pedestrian and vehicular traffic which will be hazardous to the existing and anticipated traffic in the neighborhood; and		
g.	Adequate utilities exist to serve the proposed conditional use.		

### Conditions Section 35-73.A.5

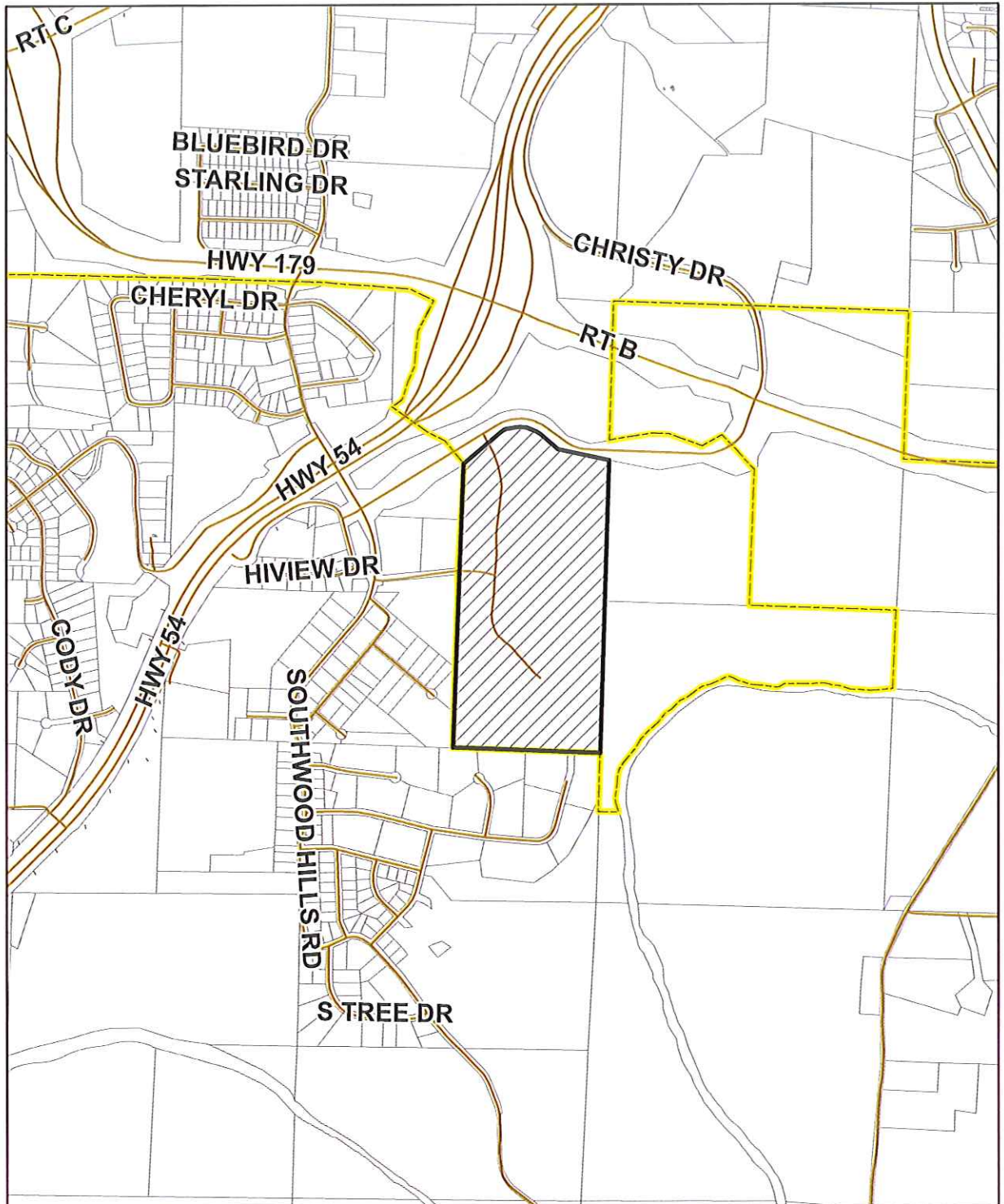
The Board may impose conditions to ensure that the Conditional Use **will not**:

		YES	NO
a.	No conditional use shall be enlarged, extended, increased in intensity or relocated unless an application is made for a new Conditional Use Permit in accordance with the procedures set forth in this Section.		
b.	Development of the use shall not be carried out until the applicant has secured all the permits and approvals required.		
c.	Signage for the use may be limited to protect the neighborhood character. A residence in which one or more home occupations has been permitted shall be limited to one sign, attached to the building, with a maximum size of one square foot, regardless of the number of home occupations operated from the residence.		
d.	Due to the operational intensity and nature of the proposed use and the physical development characteristics, the height, bulk and lot coverage, shall be as specified in the permit.		
e.	The building materials and architectural style of the building and related structures shall be consistent with and similar to those of adjacent buildings and as specified in the permit.		
f.	The Board may determine the type and extent of the bufferyard, and whether a bufferyard is required to mitigate impacts of a proposed conditional use upon adjacent properties, using Section 35-59 as a guide.		



# City of Jefferson Board of Adjustment

## VICINITY



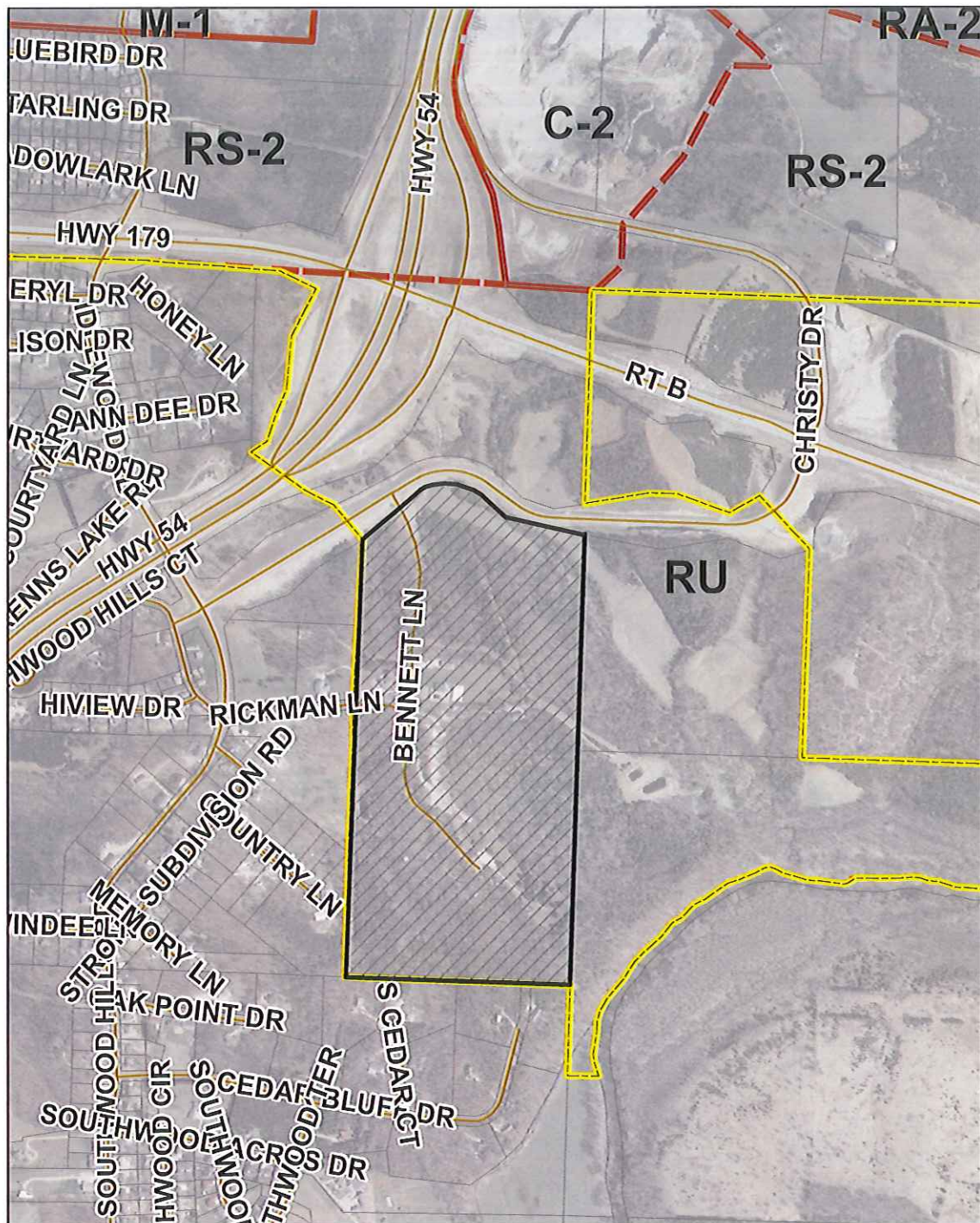
Case No. B15006  
Conditional Use Permit  
Assisted Living Facility for  
Homeless Youth  
3519 Bennett Lane

0 475 950 1,900 Feet



# City of Jefferson Board of Adjustment

## LOCATION MAP



0 345 690 1,380 Feet



Case No. B15006  
Conditional Use Permit  
Assisted Living Facility for  
Homeless Youth  
3519 Bennett Lane





City of Jefferson  
Department of Planning & Protective Services  
320 E. McCarty Street  
Jefferson City, MO 65101  
Phone: 573-634-6410  
[lcplanning@jeffcitymo.org](mailto:lcplanning@jeffcitymo.org)  
[www.jeffersoncitymo.gov](http://www.jeffersoncitymo.gov)

Date filed:

## APPLICATION TO THE BOARD OF ADJUSTMENT

1. The undersigned hereby request(s) the following:  
☐ Appeal (Section 35-73C)  
☐ Conditional Use Permit (Section 35-73A; Section 35-71, Site Plan)  
☐ Variance (Section 35-73B; Section 35-71, Site Plan)  
☐ Chapter 3, Advertising and Signs: Conditional Use Sign Permit  
☐ Chapter 8, Article V, Flood Hazard Regulations; Variance to Flood Hazard Regulations  
☐ Other (including Interpretations; please describe in #2 below)
2. Describe exactly the type of project proposed or what is being requested and the purpose of the request. Cite affected Section numbers if known (or attach separate sheet).

Conditional Use Permit "HALO Home" at the former Rickman Center Conference Center.

3. The application is filed for the following described real estate: (the correct legal description of the property must be printed below or attached to this application).  
A. Street Address: 3519 Bennett Lane  
B. Property Description: NE 1/4, SE 1/4, SEC. 26, T44N, R12W
4. A site plan in accordance with Section 35-71 is required for conditional use permits and variance applications. A "sketch" site plan may be required for other applications such as conditional use sign applications. A check in the amount of \$210.00\* payable to the "City of Jefferson" for the application filing fee must be attached to this application. \*Revised June 30, 2015.
5. Variance applicants must complete the attached Variance Affidavit. Each question must be answered and the affidavit must be signed by the applicant(s) and notarized.
6. The undersigned certify to be all of the owner(s) of the above described property. (All owners of this property must sign and the signatures must be notarized).

KIRK FARMER  
Property Owner Name (type or print)

[Signature]  
Property Owner Signature

F & F Development  
Property Owner Name (type or print)

[Signature]  
Property Owner Signature

Subscribed and sworn before me this 10 day of November, 2015.  
Notary Public - Notary Seal  
STATE OF MISSOURI  
County of Cole

My Commission Expires 11/27/2015  
Commission # 11500009

[Signature]  
Notary Public

Applicant (if different from property owner):

Name	The HALO Foundation - Rebecca Welsh, President
Mailing Address	1600 Genessee #528, Kansas City, MO 64102
Phone Number	573-230-4546

Specific information may be required depending upon type of application. Please refer to the appropriate Chapter. Other permits, including building permits and sign permits may be required in addition to Board actions. Please seek advice of City staff or your consultant, if applicable.

Individuals should contact the ADA Coordinator at (573) 634-6570 to request accommodations or alternative formats as required under the Americans with Disabilities Act. Please allow three business days to process the request.





LEGEND

F & F DEVELOPMENT PROPERTY

HALO FOUNDATION USE AREA

HALO FOUNDATION CONDITIONAL USE PERMIT  
F & F DEVELOPMENT

3519 BENNETT LANE

Central Missouri Professional Services, Inc.  
ENGINEERING - SURVEYING - MATERIALS TESTING  
Jefferson City, Missouri

Phone  
(573) 634-3455  
Fax  
(573) 634-3455

DATE 11/10/15  
REV. DATE  
SHEET NO. 1 OF 2

JOB NO. 03-059







- [illegible]

- 2 INSTALL NEW WALKER AND DETER HOODS. OWNER PROVIDED. MATCHES CONTRACTOR TO COORDINATE LOCATION
- 3 AND NEW RISERS. PURCHASE NEW RISERS AND EXISTING TRAP FOR 1/2" NEW LUXURY VINYL TILE (EVTI)
- 4 NEW 1/2" DIA STAINED WOOD HANDRAILS AT 1/4" ANK PROVIDE 1" EXTENSION AT TOP LANDING AND RETURN TO WALL. PROVIDE 3" EXTENSION AT BOTTOM LANDING AND RETURN TO WALL. STAIN COLOR BY OWNER.
- 5 INSTALL CORNERS WITH MATCHING CONSTRUCTION AS REQUIRED. INSTALL FINISH SHALL MATCH AND ALIGN WITH ADJACENT SURFACE
- 6 NEW 1/2" DIA GLASSWALL AT 42" AFF. PER CODE
- 7 NEW ADA COMPLIANT FLUORING FLOUTURES AT EXISTING FLUORING.





# Halo Foundation JC

3519 Bennett Ln  
Jefferson City, MO 65101

NO.	DATE	DESCRIPTION	BY	CHKD
1	10/15/10	REVISION		
2				
3				
4				
5				
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10.15 HALO FOUNDATION

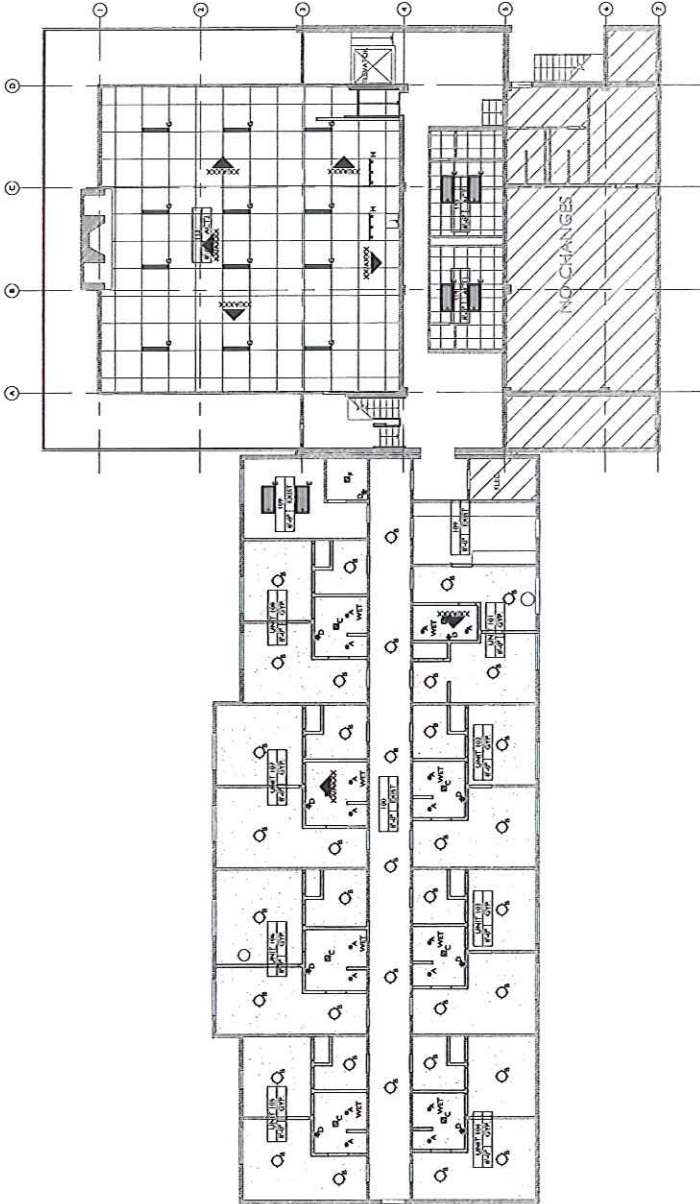
## A100

FLOOR PLAN

- REVISIONS TO EXISTING CEILING PLAN (GENERAL NOTES)**
1. REFER TO THE DRAWINGS FOR ALL DIMENSIONS AND DIMENSIONS OF LIGHTING.
  2. CONTRACTOR TO VERIFY EXISTING DIMENSIONS TO ARCHITECT.
  3. CONSIDER ALL CONDUIT TO BE IN THE CEILING AND EGRESS.
  4. PAINT ALL CITY BOARD CEILING & JOINTS AFTER LAID.
  5. PAINT ALL CITY BOARD CEILING & JOINTS AFTER LAID.
  6. PAINT ALL CITY BOARD CEILING & JOINTS AFTER LAID.
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  10. PAINT ALL CITY BOARD CEILING & JOINTS AFTER LAID.

### REVISIONS TO EXISTING CEILING PLAN (GENERAL NOTES)

1. EXISTING CEILING AND JOINTS REMAINING AS SHOWN.
2. EXISTING CEILING AND JOINTS REMAINING AS SHOWN.
3. EXISTING CEILING AND JOINTS REMAINING AS SHOWN.
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9. EXISTING CEILING AND JOINTS REMAINING AS SHOWN.
10. EXISTING CEILING AND JOINTS REMAINING AS SHOWN.



01 Lower Floor Plan  
Scale: 1/8" = 1'-0"







## **HALO HOME JEFFERSON CITY, MO**

The property is located at 3519 Bennett Lane in Jefferson City, Missouri. Known as the Rickman Center, this 125 acre property includes a 24,000 square foot primary facility which sits on just under 3 acres, eleven cabins, recreation facilities, walking trails, etc. The property was recently acquired by Farmer Holding Companies, and a long-term lease has been executed with the HALO Foundation.

The HALO Foundation will be remodeling the facility to provide a transitional living facility for at-risk homeless youth. An architect has been engaged to work with the HALO team to determine how to best utilize the space, and subsequently to develop final design and renovation plans. This work will be accomplished in two phases. Phase 1 will be completed immediately to address the need to house 5 teens and a house mom. Funding for Phase I has been secured, and renovation work will begin as soon as the plans are approved by the city for permitting. Phase 2 consists of an extensive remodel for the remainder of the facility.

### Phase 1 Improvements

Convert 12 existing rooms on the main floor into 6 larger units; renovate the laundry room; and remodel the lower level common area. One of these units will be for the house mom, and the other 5 units will be for girls already engaged in the program. This area consists of approximately 7,487 square feet, and it is estimated that the renovation/remodel work will cost \$66.78 per square foot for a total estimated cost of \$500,000. Once plans are finalized, the project will be bid through standard processes. The Phase 1 remodel will consist of:

- Reconfiguration of space for optimal utilization
- New flooring and paint
- New bathrooms in all units including tubs, vanities and toilets
- FFE for all units (i.e. furnishings, fixtures, etc.)

### Phase 2 Improvements

Remodel the remaining 12,859 square feet. It is estimated that the renovation work will average \$62.21 per square foot for a total estimated cost of \$800,000. This space includes the lower level residential quarters, main level assembly room, kitchen and office space, along with roof replacement and new windows throughout the facility. Once plans are finalized, the project will be bid through standard processes. The Phase 2 remodel will consist of:

- Reconfiguration of space for optimal utilization
- New flooring and paint
- New bathrooms in all lower level units including tubs, vanities and toilets
- FFE for entire space (i.e. furnishings)
- New roof over the entire building
- New office for TLP staff
- New Kitchen



- Remodeled main floor common area
- New Windows
- New Laundry Room

Current and proposed floor plans are included as **Exhibit 1**.

## **SERVICES**

The HALO Learning Center launched in Jefferson City in 2012 by partnering with JC High School, the foster care system, and alternative schools to provide art therapy and future-focused programs to at-risk and low income youth. All programming revolves around the future-focused DREAM Campaign, developed in Kansas City, which empowers youth to become contributing members of their community. Current programming includes art therapy-based workshops revolving around monthly character traits, confidence building, life-skills, and job prep programs. These programs are designed and taught by HALO Center staff and volunteers.

HALO also is supporting a transitional living program (TLP) for the homeless and extreme at-risk youth in Jefferson City and the surrounding community. This shelter provides a safe haven for youth in the greatest need. In 2013-14, HALO conducted research about homeless youth in Jeff City. Through agency and school partnerships we learned that there are over 135 teenage youth in Jeff City who are homeless. Their homelessness can be caused by many different circumstances, such as their parents being incarcerated, death, drug addiction, abuse, etc. Youth in these situations have very few options. Sometimes they can live with a relative, but most end up sleeping on friend's couches or even sleeping in their cars.

HALO supports youth in the greatest need. Few resources for homeless minors in Jeff City are available. Therefore, HALO started its Teen Transitional Living Program (TLP). With the help of the Jeff City community, HALO raised enough funds to start a pilot program to move two homeless teen girls, one who is a teen mom and her 18 month old daughter, into their own apartments.

This program provides free rent and utilities for homeless teens for up to 18 months. The goal of the program is to equip teens with the skills to live and support themselves independently. While in the program, youth are required to attend school full time until they graduate and hold a job. Youth also participate in programs that help them set achievable goals, learn how to manage their finances, attain a sustaining job or higher education, and learn life skills, such as cooking, cleaning, and how to present oneself professionally. Once the new center is complete, all HALO programs will be offered on-site.

The Transitional Living Program is typically an 18-month, in residence program. During an initial 3-month period, teens work closely with the residential leader to determine the acuity of their needs, and to establish a plan focused on independence for the teen.

However, no teen is ever cut off from the program, and all participants are welcome to continue to receive supporting services after transitioning out. This includes assistance with such things as job training, finding child care, meals, etc.

## HOW YOUTH WILL BE SERVED

The issue of homeless youth in the Jefferson City community was something of a hidden issue until the HALO program arrived. In August of 2014, the Jefferson City News Tribune published a story regarding the need for shelter and other services for this silent population (please reference page 6 for the text of this article). HALO provides these youth with a place to seek help, and for those highest at risk, it provides shelter. The proposed project will significantly expand HALO's Transitional Living Program to increase its capacity to house homeless youth from five youth with babies to twenty-six youth. With the Jefferson City School District identifying nearly 200 students as homeless, HALO's program is needed to assure those that are unsheltered (i.e. not staying with friends, family, etc.) have a roof over their head, food to eat, and transportation along with supports to continue their education.

The National Network for Youth reports, "Unaccompanied youth face access barriers to education, keeping many of them from completing high school degrees or post-secondary education. Such barriers include school attendance policies, credit accrual, legal guardianship requirements, residency requirements, proper records, and lack of transportation. These barriers can cause youth to be denied enrollment, often resulting in a youth remaining out of school for long periods of time. It is because of this that homelessness can interrupt education and normal socialization processes that are developed during youth. This affects a young person's future ability to live independently, and also results in the development of learning problems and interpersonal communication problems, leading youth to have future troubles integrating into society. These problems, coupled with the lack of a degree, lead youth to face "severe challenges" in supporting themselves emotionally and financially." Without proper education or degree, unaccompanied youth find themselves contributing to unemployment rates in America. Those who can find jobs often don't make livable wages. Society will eventually feel the additional effects of uneducated and unemployed youth. "Youth who are out of school and out of work are not acquiring the knowledge and skills needed to replace the skilled, educated, and experienced adult workers who will be retiring in the coming decade."<sup>1</sup>

Key Recommendations from the Research. In the 2009 report by the National Center for Children in Poverty, *Homeless Children and Youth: Causes and Consequences*, Arantani identified the following areas for policy focus:

- **Increase housing subsidies to provide permanent housing for children living in homeless families, and unaccompanied youth.** Homeless families who received

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<sup>1</sup> NN4Y issue Brief. Consequences of Youth Homelessness. [www.nn4youth.org](http://www.nn4youth.org)



housing subsidies are 20 times more likely to have housing stability after shelter use, compared with those who did not receive a subsidy.<sup>2</sup>

- **Increase school-based and community-based health and mental health services, including assessment and screening for homeless children and youth. Focus on using a trauma-informed approach.** Homeless youth who used a mobile health or mental health unit for five months or more were more likely to report being stabilized on medications and counseling, decreased substance use, received regular birth control and immunizations, and treated and referred medical conditions.<sup>3</sup> Homeless youth prefer to receive health care services at clinics that are “youth friendly.”<sup>4</sup>
- **Target and increase programs that better identify and serve children living in homeless families and unaccompanied youth with developmental delays or at-risk developmental delays and disabilities.**
- **Increase funding for transitional and independent living programs for youth who are aging out of foster care.** Iowa, Texas, Connecticut, Utah, and Maryland implemented a range of initiatives including workforce investment strategies to post-secondary support.<sup>5</sup> In Kentucky, the CFCIP program successfully helped more than 200 youth attain post-secondary education.<sup>6</sup>
- **Provide nutritiously adequate food and nutrition outreach at shelters and other temporary housing.** A special supplemental nutrition program for Women, Infants and Children (WIC) were designed to reach WIC-eligible families in homeless shelters, to identify nutrition inadequacies among those homeless families and to provide them with nutrition supplements through the WIC food package.<sup>7</sup>
- **Provide educational services to facilitate high school completion for unaccompanied youth who dropped out of high school.** Those who had a high school equivalent degree were more likely to have lawful employment.<sup>8</sup>
- **Provide vocational training and employment services for unaccompanied youth to achieve economic self-sufficiency.** Approximately 60% of homeless young adults who

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<sup>2</sup> Shinn, M.; Weitzman, B. C.; Stojanovic, D.; Knickman, J. R.; Jimenez, L.; Duchon, L.; James, S.; Krantz, D. H. 1998. Predictors of Homelessness among Families in New York City: From Shelter Request to Housing Stability. *American Journal of Public Health* 88(11): 1651-1657.

<sup>3</sup> Busen, N. H.; Engebretson, J. C. 2008. Facilitating Risk Reduction among Homeless and Street-Involved Youth. *Journal of the American Academy of Nurse Practitioners* 20(11): 567-575.

<sup>4</sup> Ensign, J.; Gittelsohn, J. 1998. Health and Access to Care: Perspectives of Homeless Youth in Baltimore City, USA. *Social Science & Medicine* 47(12): 2087-2099.

<sup>5</sup> Cooper, J. L. 2008. *Towards Better Behavioral Health for Children, Youth, and Their Families: Financing That Supports Knowledge*. New York: National Center for Children in Poverty, Columbia University Mailman School of Public Health.

<sup>6</sup> U.S. Department of Health and Human Services. Chafee Foster Care Independence Program: Program Description. Accessed Aug. 1, 2009 from [http://www.acf.hhs.gov/programs/cb/programs\\_fund/state\\_tribal/jh\\_chafee.htm](http://www.acf.hhs.gov/programs/cb/programs_fund/state_tribal/jh_chafee.htm).

<sup>7</sup> Hamm, L. A.; Holden, E. W. 1999. Providing WIC Services to Homeless Families. *Journal of Nutrition Education* 31(4): 224-229.

<sup>8</sup> Gaetz, S.; O'Grady, B. 2002. Making Money: Exploring the Economy of Young Homeless Workers. *Work Employment Society* 16(3): 433-456.



participated in job training class found employment within three months following the training.<sup>9</sup>

The HALO Foundation's TLP program is structured to address all of these areas of focus.

## **WHAT IS THE NEED**

Outside of HALO's TLP program, there is no other shelter program in the community, or the region for that matter, specifically designated for youth. Data and local partners have revealed a pressing need. This need does not center solely on housing. The HALO Learning Center launched in Jefferson City in 2012 by partnering with JC High School, the foster care system, and alternative schools to provide art therapy and future-focused programs to at-risk and low income youth. All programming revolves around the future-focused DREAM Campaign, developed in Kansas City, which empowers youth to become contributing members of their community. Current programming includes art therapy-based workshops revolving around monthly character traits, confidence building, life-skills, and job prep programs. These programs are designed and taught by HALO Center staff and volunteers.

Specific to the TLP program, the newly acquired facility is dated, and not adequately designed to accommodate youth living in-residence. For example, TLP needs five living quarters specifically designed to accommodate teens with infants/small children. The current quarters are designed for individuals, and will require significant remodeling to accommodate need. A private donor has contributed the funding to complete this phase of the renovation (Phase 1). Phase 2 renovations, which are the focus of this NAP request, include renovation of 16 additional rooms to accommodate individual or parenting youth, along with modernization of the remainder of the facility. In total, Phase 2 is a 20,000 square foot renovation project that includes weatherization, living quarter renovations, kitchen and laundry facility renovations and other updates to assure the facility is safe, secure and appropriate for the Transitional Living Program.

In terms of wait lists, HALO completes interviews with every youth that comes to its door seeking assistance. At this time, we are aware of 135 local youth who lack a permanent residence and are in need of a stable living situation. As the data reflect, the Jefferson City School District identified 198 students in the 2013-14 school year as homeless under the McKinney-Vento Act. The McKinney-Vento Education of Homeless Children and Youth Assistance Act is a federal law that ensures immediate enrollment and educational stability for homeless children and youth. McKinney-Vento provides federal funding to states for the purpose of supporting district programs that serve homeless students.

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<sup>9</sup> Lenz-Rashid, S. 2005. Employment Experiences of Homeless Young Adults: Are They Different for Youth with a History of Foster Care? *Children and Youth Services Review* 28: 235-259.



The McKinney-Vento Act defines homeless children as "individuals who lack a fixed, regular, and adequate nighttime residence." The act provides examples of children who would fall under this definition:

- Children and youth sharing housing due to loss of housing, economic hardship or a similar reason
- Children and youth living in motels, hotels, trailer parks, or camp grounds due to lack of alternative accommodations
- Children and youth living in emergency or transitional shelters
- Children and youth abandoned in hospitals
- Children and youth awaiting foster care placement
- Children and youth whose primary nighttime residence is not ordinarily used as a regular sleeping accommodation (e.g. park benches, etc.)
- Children and youth living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations
- Migratory children and youth living in any of the above situations

The article below was published in the Jefferson City News Tribune on August 29, 2014. It provides the best overview of the need and community interest in this project.

### ***Homeless Teens Find Hope with HALO.***

HALO is trying to tackle a new issue, the homeless youth of Jefferson City.

The Helping Art Liberate Orphans foundation has 13 orphanages around the world. They serve around 450 kids in Kansas City through the city's multiple shelters and organizations to help homeless youth, but Jefferson City does not have the same resources as Kansas City.

"We did start internationally, but when we came back to the states we started realizing the needs here," HALO founder Rebecca Welsh said. "Jefferson City has been the biggest wake up call for me personally. I now live here and have realized just in the last eight to ten months how much need there is in our community."

Through personal surveys, talking with principals and homeless liaisons in the school district, Welsh estimates there are 135 homeless youths in Jefferson City. These children sleep in parks, cars or with friends because going home is not an option. Some of their parents are addicted to drugs or incarcerated. Some have abandoned their children.

"This is a big need in this community and it just doesn't have a lot of resources to help minors specifically," the foundation's Elle Benage said. "We are constantly doing research on who are the most at-risk kids, where are they, and what resources are there to help them."

At the moment the program provides transitional living for two teenagers, but there are several more who Benage and Welsh are trying to help. One young woman they are

attempting to help had to take a break from school after finding her boyfriend who had committed suicide. Her father had abandoned her, and she was not able to live with her drug-addicted mother, Benage said.

Another girl was forced to marry a 22-year-old man by her father who lacked the funds to keep her fed. Her husband abused her, and she had his child at age 14. She is now divorced, and the ex-husband is in jail for abusing her and their son.

"There are countless situations like that," Benage said. "The amount of challenge these kids have to come through on their own without parents to help them, it is just amazing."

During an informational meeting at the HALO center, Circuit Court Judge Pat Joyce said she personally knew one of the children mentioned, and that without mentoring from programs like HALO these kids will end up in prison, or worse.

"They have no hope," Joyce said. "It is a continuing need. This is not just like a bump in the road. It has gone on for a very long time. I think the one-on-one really does make a difference in their lives. They do change their lives and it is one-on-one mentoring that does it."

The program is not for any child who leaves their parents and home. HALO workers carefully screen the youths to find out who really needs help. In HALO housing, the children have free rent and utilities but are required to be in school, have a job, save a portion of their income and complete courses that will teach them how to live independently, Benage said. These courses teach things like cooking, parenting and finance skills.

The future goal for the program is to be able to house at least 18 teens who are separated into three groups: boys, girls and pregnant girls. To achieve this goal, HALO workers will have to apply for grants, form partnerships, secure more funds and raise more awareness on the issue.

## **A FEW STORIES FROM CURRENT YOUTH**

Since she was born, **Amari's** family life has been unstable and difficult. From the time she was 4 months old, both of her parents were incarcerated. Amari lived with different family members and friends where she was constantly changing living arrangements and schools. At age 13, Amari's mother was released from prison and they moved in together. Unfortunately, her mother struggled with drug addiction which left Amari in yet another unstable living situation; there were periods of days where Amari was left alone because her mother was high or arrested.

At age 16, Amari became pregnant with a baby girl. Though pressured by her mother to have an abortion, Amari decided to keep her baby. Soon after delivering her child, her



mother went missing, and Amari was evicted from their apartment. Financially unstable, without a home, and too young to sign a lease, Amari interviewed for a place in the HALO TLP.

*"I'm trying to find somewhere stable. I just want to feel good about my home so I can feel good with my baby and don't have to stress if she is crying and waking other people up, but I'm not financially stable to get anything on my own or old enough to sign a lease."*

Since being accepted into the HALO TLP, Amari and her baby have their own apartment. She is growing as a mother, and is very thankful for a stable place for her and her baby. She is excelling in her classes and plans to graduate high school early and begin online college classes. HALO is very proud of Amari!

**Caylin** grew up in a very unstable and traumatic environment. Both of her parents were drug addicts and were divorced when she was a young girl. She lived with her father until he lost custody of her, and her mother would often go missing for days at a time because of her drug addiction. At a young age, her grandfather sexually abused Caylin and her older sister. When the abuse was reported, her grandfather took his own life. Both the abuse and the suicide were extremely traumatic for Caylin.

At age 14 Caylin became pregnant with a girl. Addicted to both marijuana and alcohol, Caylin voluntarily admitted herself into rehabilitation for 18 months. While in rehab, she delivered her child. Her daughter is her motivation to stay sober.

*"I don't want my daughter to see me on drugs because that is the way I see my mother."*

Caylin interviewed for a place in the HALO TLP. At the time she living in an apartment with her daughter that her mother had cosigned on. Her mother left to move in with her boyfriend, and Caylin was forced to drop out of school to work two jobs to pay rent. She knew that if she didn't get help to pay rent, she probably wouldn't be able to go back to school and finish her degree.

Since July 2014, Caylin has been a part of the HALO TLP. She was able to go back to school and has recently graduated. Though she still struggles with depression and anxiety as a result of the abuse she experienced in her childhood, she is a very determined and driven young person. The TLP staff has been blown away by what Caylin is capable of accomplishing when given support.

**Itream** comes from a very strict and religious immigrant family. Her father passed away when she was very young, and she and her mother moved in with her mother's parents. At age 16, Itream and her boyfriend, who is not a part of her religion, became pregnant. When her family found out about the pregnancy, her church excommunicated her and her family shunned her. Though she was allowed to live at home, she was forced to stay locked in her room at all times. She wasn't allowed to eat meals with the family, and no

one communicated with her. Unless Iream married the father of her baby and he converted to their religion, her family would continue to shun her. Iream refused to marry under those conditions. The neglect and emotional abuse Iream experienced was extremely difficult and caused her significant stress. The stress caused her to have a high-risk pregnancy.

Iream hoped that once she had the baby her family would love the child, and this would stop them from shunning her. Unfortunately, things did not change after her baby was born.

Iream took a place in the HALO TLP, and is thriving in the new environment. Her and her baby are healthy and adjusting well. Stream says that she feels at peace and without stress for the first time. She is a 4.0 student and has a dream to become a physician. She knows this goal will require hard work and commitment, but she is determined to accomplish it and provide a peaceful life for her and her child.

## **COMMUNITY FEEDBACK**

Through close work with the community, and in listening to local youth, the need for this expanded transitional living program emerged. Over the past year, HALO staff have worked with local developers to identify an appropriate opportunity to accommodate this need. Youth currently involved in the program offer continual input into how the program is structured and what their needs evolve to over the time they are participating. The program director, in partnership with founder and president Rebecca Welsh, have used this information to conceptualize the new facility and to begin to develop a sustainability plan to support the on-going operation of the new center.

## **PROGRAM PARTICIPANTS**

With an estimated capacity of 26 youth in residence, and allowing for turnover based on level and duration of need, HALO estimates direct support to an average of 32 to 40 youth annually. Estimates are based on the number of residential units that will be available, and on HALO's assessment of the existing need in the community. The program includes a 3-month initial stay, during which time staff work with the youth to determine the need for an 18-month residential placement. After 18 months, youth are connected to supported housing opportunities in the community. Youth may continue participation in the program as long as needed, receiving job skills training and placement assistance, meals, etc.

Characteristics of customers. The target population is pregnant, parenting, and non-parenting youth age 16-21, and their dependents, who are in homeless or high-risk situations. 100% of program participants have income less than 25% of the median



income for Cole County, Missouri, and most have no source of income outside of part-time employment. The typical HALO youth are those who are not involved in the foster care system and cannot live with their biological parents due to situations such as: parents being incarcerated, addicts, physically or emotionally abusive, who take no physical or financial responsibility for their children, or parenting teen who are not welcome to in their parent's home due to financial burdens or religious beliefs. These youth may be female or male, and there is no income requirement in order to receive services.

## **City of Jefferson**

Department of Planning & Protective Services  
320 E. McCarty St.  
Jefferson City, MO 65101



## **Carrie Tergin, Mayor**

Janice McMillan, AICP, Director  
Phone: 573-634-6410  
Fax: 573-634-6562

November 24, 2015

Dear Property Owner:

This letter is to notify you that the Jefferson City Board of Adjustment will meet at 7:30 a.m. on the morning of Tuesday, December 8, 2015 in the Council Chambers of the John G. Christy Municipal Building, 320 E. McCarty Street, to consider the following item of business:

**Case No. B15006 – 3519 Bennett Lane; Conditional Use Permit for Assisted Living Facility.**

Application filed by F and F Development, property owner, on behalf of The HALO Foundation, applicant, for a conditional use permit to operate an assisted living facility in a RU Rural zoning district. The property is located on Bennett Lane 1500 feet south of Christy Drive and is described as part of the NE Quarter of the SE Quarter of Section 26, Township 44 North, Range 12 West, Jefferson City, Missouri (Central Missouri Professional Services, Consultant).

As an adjoining landowner and/or neighbor, you have the privilege of attending this hearing. Unfortunately, we are unable to record comments received by telephone, but written comments will be made part of the official record. Written comments may be directed to the Board of Adjustment in one of the following ways:

e-mail: [jcplanning@jeffersoncitymo.gov](mailto:jcplanning@jeffersoncitymo.gov)

fax: Department of Planning & Protective Services, Planning Division, 573-634-6457

mail: Department of Planning & Protective Services / Planning Division  
John G. Christy Municipal Building, 320 E. McCarty Street, Jefferson City, MO 65101

Written comments must be received before 5:00 p.m. Monday, December 7, 2015 and will be copied and distributed to Board members at the meeting. Correspondence and other items received at the time of the meeting will be included in the official record, but may be delivered to the Chairman only; there is no guarantee that copies will be made for distribution to all Board members. Interested parties who are unable to provide written comment in advance are invited to deliver their comments to the Board Chairman at the time of the meeting.

Information regarding this case may be viewed on the Board of Adjustment webpage at:

<http://www.jeffersoncitymo.gov/pps/planning/boardofadjustment.html>

If you have any questions concerning this matter, please feel free to contact me at 573-634-6475.

Sincerely,

A handwritten signature in blue ink that reads "Eric Barron".

Eric Barron, AICP  
Senior Planner

Individuals should contact the ADA Coordinator at (573) 634-6570 to request accommodations or alternative formats as required under the Americans with Disabilities Act. Please allow three business days to process the request.



HAMMANN, MARTIN WAYNE & ANITA  
HAMMANN, DONALD MORRIS  
HAMMANN, ROBERT DOUGLAS & THERESA  
3640 ROCK RIDGE RD  
JEFFERSON CITY, MO 65109  
RT B

F & F DEVELOPMENT L L C  
221 BOLIVAR ST  
JEFFERSON CITY, MO 65101  
3519 BENNETT LN (*Subject Property*)  
2497 CHRISTY DR  
JACK STOCKER RD

LISA LAVENDAR  
DIVISION OF FACILITIES MANAGEMENT  
DESIGN & CONSTRUCTION ELASING SECTION  
PO BOX 809  
JEFFERSON CITY, MO 65102  
2741 SOUTHWOOD HILLS RD

BRAUN, DONALD C & DELORES M  
2900 RENNS LAKE RD  
JEFFERSON CITY, MO 65109  
525 RICKMAN LN

KAY, TRAVIS D & STEPHANIE E  
2811 STRONG SUBDIVISION RD  
JEFFERSON CITY, MO 65101  
STRONG SUBDIVISION RD

SMITH, BETTY J  
609 COUNTRY LN  
JEFFERSON CITY, MO 65101  
609 COUNTRY LN

DEAN, MARY B  
611 COUNTRY LN  
JEFFERSON CITY, MO 65101  
611 COUNTRY LN

HARRISON, LINDA D  
613 COUNTRY LN  
JEFFERSON CITY, MO 65101  
613 COUNTRY LN

JENNINGS, DONALD L & NORMA J, TRUSTEES  
617 COUNTRY LN  
JEFFERSON CITY, MO 65101  
617 COUNTRY LN

LAMBERSON, TOBY & CINDY  
3112 SOUTHWOOD CIR  
JEFFERSON CITY, MO 65101  
616 COUNTRY LN

CASE, JAMES DAVID  
910 CEDAR BLUFF DR  
JEFFERSON CITY, MO 65101  
910 CEDAR BLUFF DR

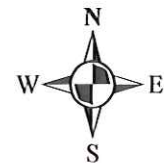
ALLEN, THOMAS E & LISA G  
909 CEDAR BLUFF DR  
JEFFERSON CITY, MO 65101  
909 CEDAR BLUFF DR

ARNOLD, TERRIE J  
3000 S CEDAR CT  
JEFFERSON CITY, MO 65101  
3000 S CEDAR CT

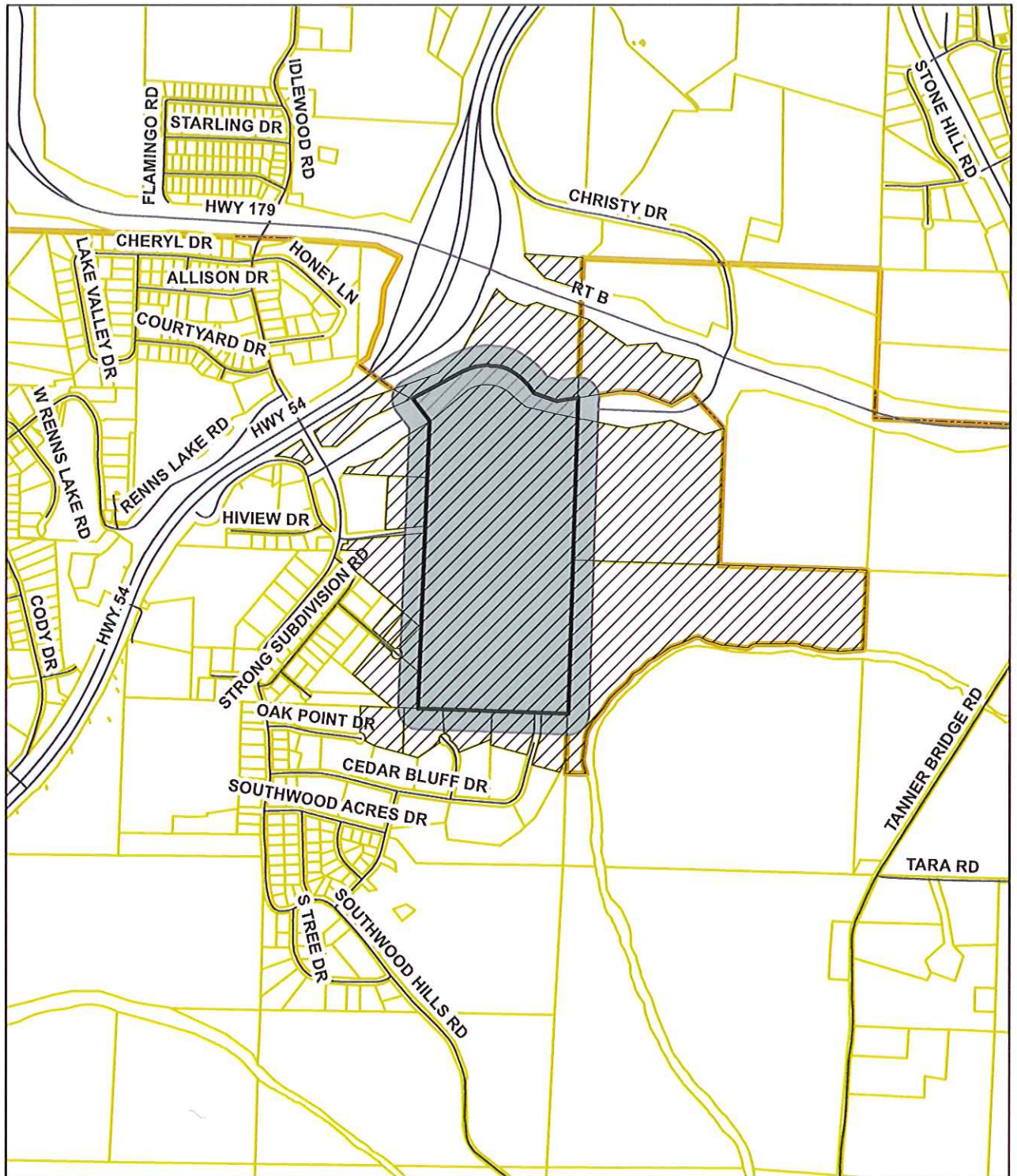
WILBERS, JEFFREY J & TRACY J  
3001 S CEDAR CT  
JEFFERSON CITY, MO 65101  
3001 S CEDAR CT

STRUEMPH, LYNN J & PHYLLIS J  
717 OAK POINT DR  
JEFFERSON CITY, MO 65101  
717 OAK POINT DR

Case No. B15006  
Conditional Use Permit  
Assisted Living Facility for  
Homeless Youth  
3519 Bennett Lane



185 ft. Notification Buffer





BOARD OF ADJUSTMENT  
CORRESPONDENCE RECEIVED

**Case No. B15006**  
**3519 Bennett Lane**

Received as of December 2, 2015

[illegible]

November 30, 2015

Department of Planning and Protective Services, Planning Division  
John G. Christy Municipal Building/City Hall  
320 E. McCarty Street, Room 120  
Jefferson City, MO 65101

Attention Board of Adjustments:

**Case No. B15006 - 3519 Bennett Lane; Conditional Use Permit for Assisted Living Facility for Homeless Youth**

I am writing in regards to the planned expansion of the Halo Assisted Living facility for Homeless Youth at The Rickman Center, a former ministry of The Christian Church (Disciples of Christ) in Mid-America. As a property owner located next the Rickman Center property line, I am concerned as to the impact on the neighborhood. Most of the homes on our street are single-family homes and in many cases house elderly long time residents.

1. How are potential clients reviewed to qualify to become a resident of this facility? In many cases adult homeless suffer from mental illnesses. Youth who feel abandoned often act out violent behaviors. Properly qualifying residents is an important process.
2. What steps are taken to provide security at the "Assisted Living Facility for Homeless Youth" operated in other areas of the state? What steps for security will be taken at this facility? Are residents limited to the main Rickman building and immediate grounds surrounding the main building?
3. Are there other "Assisted Living Facility for Homeless Youth" located in such a rural area as this planned facility? Is there any correlation to the success of the clients being out placed, if they are closer to typical residential business area including access to grocery stores, Wal-Mart, restaurants etc..... within walking distance.
4. How is the facility allocated so that clients are kept within their own age appropriate groups? Is this a coed facility.
5. Is there any limit as to the number of clients that this facility can be expanded to serve? Is 200 the maximum? Will other buildings be constructed?
6. Are there any long term plans to use the cabins for housing on at the Rickman site, rather than limiting the use to the dormitory style facility only. Will the Board consider setting limitations for future expansion?
7. Will the local law enforcement increase the patrols into this area to reassure residents their safety?

My heart certainly goes out to the people, adults and youth, that are in these situations, but I am not convinced that placing such a large group in a single facility located in a rural area such as this is appropriate. Please consider placing some limitations on this facility to assure the public that it will be a success.

Concerned Citizen,

Norma J. Jennings  
617 Country Lane  
Jefferson City, Mo. 65101



# **Jefferson City Board of Adjustment**

**December 8, 2015**

**Case No. B15007  
River City Habitat for Humanity  
1211 Cottage Lane**

**Side Setback Variance**

**STAFF REPORT**  
**BOARD OF ADJUSTMENT – CITY OF JEFFERSON, MISSOURI**  
**December 8, 2015**

**Case No. B15007 – 1211 Cottage Lane; Side Setback Variance.** Application filed by River City Habitat for Humanity, property owner, for a 1.5 feet variance from the side setback requirement of 7 feet to allow a setback of 5.5 feet. The property is located on the north side of Cottage Lane 220 feet west of Houchin Street and is described as Lot 15 and part of Lot 16 of Houchins Addition, Jefferson City, Missouri.

---

**PUBLIC NOTICE**

By publication in the newspaper, letter to adjacent and affected property owners within 185 feet, and by property sign posting.

**NATURE OF REQUEST**

This property consists of a vacant lot in an RS-4 Single Family Residential zoning district. A house that had existed on the property for many years was demolished in the late 1990's. The side setback requirement for the RS-4 district is 7 feet. River City Habitat for Humanity has acquired the property and would like to construct a 26'6" wide house on the property with driveway beside the house. A utility pole and row of bushes on the eastern side of the property complicates the site design, and the owner has applied for a side setback variance in order to shift the house to the western side of the property and allow room for the driveway without having to relocate the utility pole.

**ZONING AND SURROUNDING LAND USE**

The subject property is zoned RS-4 Single Family Residential.

	Surrounding Zoning	Surrounding Uses
North	RS-4	Single Family Residential
South	RS-4	Single Family Residential
East	RS-4	Single Family Residential
West	RS-4	Single Family Residential

**STAFF ANALYSIS**

The property is 48 feet wide, which is less than the normally required lot width of 50 feet for the RS-4 district. The normal side setback for a driveway is 2 feet, and this proposal would result in a 3 feet setback of the driveway from the eastern property line. The utility pole adjacent to the street at the southeast corner of the property forces the driveway further from the side property line than the minimum requirement. When combined with the substandard width of the property, the utility pole appears to create a practical difficulty in arranging a house and driveway on the lot according to normal zoning code setback requirements.

A 10 feet wide platted alley exists on the western side of the property. Although the alley was never constructed, its presence serves as a further separation from neighboring property in addition to the setback for the structure.

**FINDINGS REQUIRED**

Please refer to the handout provided for the required General Findings and Specific Findings. The applicant has provided responses to the required findings. In reviewing this case, the Board may wish to consider the following questions:

1. Are there any practical difficulties unique to this property which under strict and literal adherence to the provisions of the zoning regulations would cause the applicant an unnecessary hardship?
2. Would the appearance and value of surrounding properties be damaged if the variance is granted?



<b>Finding</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b>
Not eliminate an adequate supply of light or air to adjacent property.	X		The requested variance is adjacent to a platted alley and would have minimal effect on the supply of light and air to the neighboring property.
Not substantially increase congestion in the public street.	X		A 12 feet wide driveway is accommodated with the request. The requested variance would not increase congestion on the street.
Not increase the danger of fire or endanger the safety of the public.	X		The requested variance is adjacent to an unconstructed alley and would not affect access for emergency vehicles.
Not be unduly injurious to the use and enjoyment of adjacent property.	X		The adjacent property would be separated from the structure by the 10' wide alley and would retain access to the alley.
Not substantially diminish property values in the neighborhood.	X		The variance would allow for driveway access on the side of the house and the arrangement of the house on the lot would be similar to other houses on Cottage Lane, many of which have setbacks less than current Zoning Code requirements.
Be in keeping with the general spirit and intent of the zoning code.	X		The requested variance addresses the difficulty of locating an appropriately sized house with driveway on an undersized lot with a fairly minor reduction in setback.

**STAFF RECOMMENDATION**

The required findings appear to be met. The setback variance is requested in order to address site design issues associated with existing lot width and the presence of a utility pole. The impact of a reduced setback for the house would have a minimal impact on surrounding property due to the presence of an unconstructed alley and would result in a site design similar in nature to the existing houses on Cottage Lane.

**FORM OF MOTION**

Motion to approve a variance of 1.5 feet from the side setback requirement of the RS-4 district of 7 feet to allow as side setback of 5.5 feet.

## VARIANCE DENSITY AND DIMENSIONAL STANDARDS

### GENERAL FINDINGS 35-73.B.4.(b):

Before granting any variance, the Board **shall** find the proposed variance, if granted, would:

		YES	NO
1.	Not eliminate an adequate supply of light or air to adjacent property, substantially increase congestion in the public street, increase the danger of fire, or endanger the safety of the public; and		
2.	Not be unduly injurious to the use and enjoyment of adjacent property nor would it substantially diminish property values in the neighborhood; and		
3.	Be in keeping with the general spirit and intent of this chapter.		

### SPECIFIC FINDING 35-73.B.4.(c):

In addition to the general findings, the Board **shall** also find:

		YES	NO
1.	That there are practical difficulties associated with the premises which under strict and literal adherence to the provisions of this chapter would cause the applicant an unnecessary hardship.		

**DEFINITIONS:** **Practical Difficulties.** The term may include, but not necessarily be limited to difficulties caused by parcel size, shape, narrowness, shallowness, topography, physical surroundings or other special circumstance, and the special circumstance is peculiar to the premises and does not generally apply to other lands in similar zoning districts in the city and, further, the circumstance would prevent the applicant from using or developing the property in a manner equivalent to the use or development occurring on neighboring properties in the same zoning district.

**Unnecessary hardship.** A hardship which is unnecessary in the sense that the preservation of the spirit and intent of this chapter does not depend on the denial of the variance.

### EXTENT OF VARIANCE LIMITED 35-73.B.5.(a)

A variance, if granted, shall be limited to the minimum variance necessary to resolve, in whole or in part, the particular problem of the applicant.

### CONDITIONS 35-73.B.5.(c)

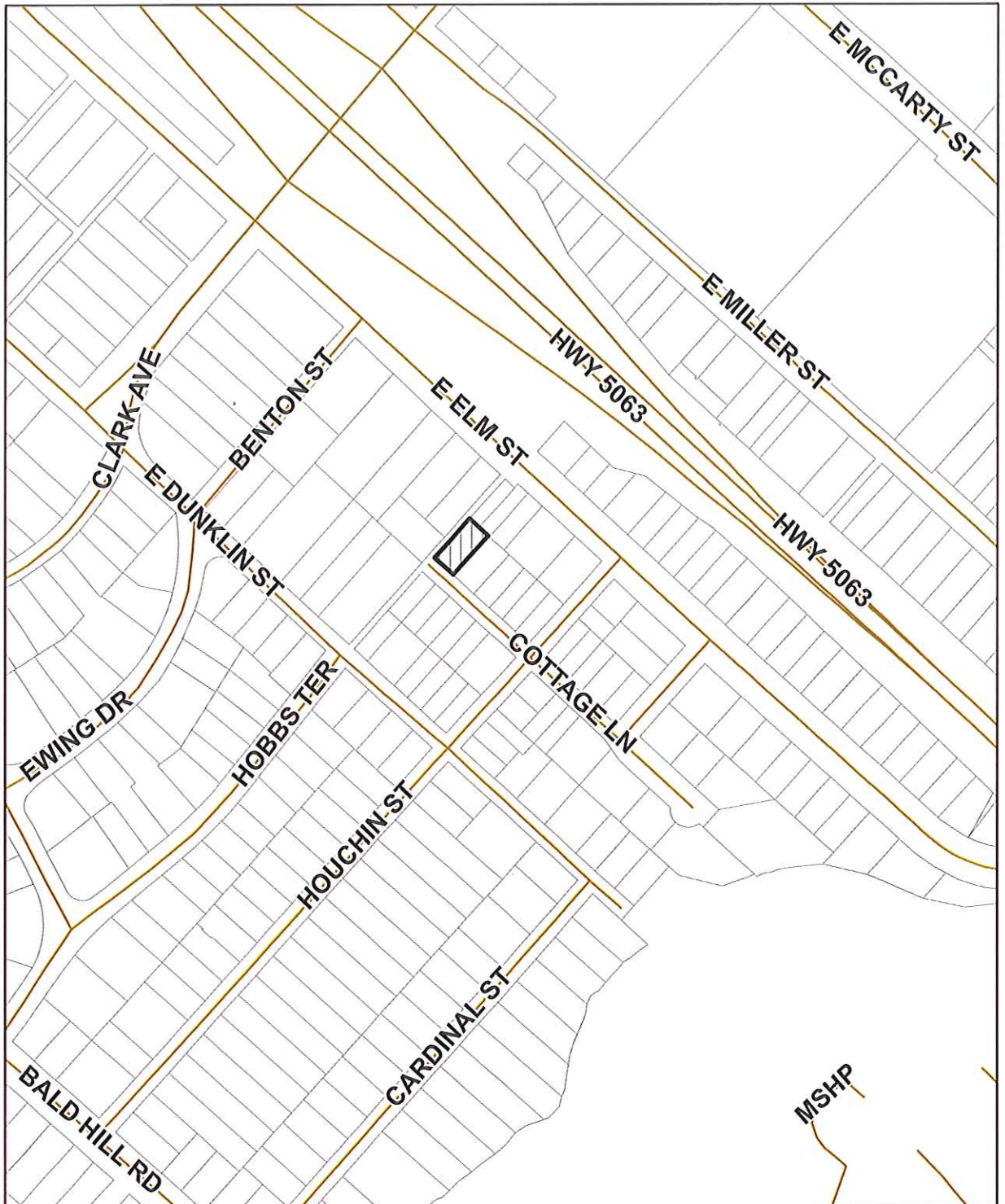
In granting a variance, the Board may impose such conditions upon the premises receiving the variance as may be necessary to ensure that the variance will not:

		YES	NO
1.	Be unduly injurious to the use and enjoyment of other property in the immediate vicinity.		
2.	Have a significant adverse affect on property values in the neighborhood.		
3.	Endanger or be detrimental to the public health, safety or general welfare of the citizens of the city.		



# City of Jefferson Board of Adjustment

## VICINITY



Case No. B15007  
Side Setback Variance  
1211 Cottage Lane

0 100 200 400 Feet



# City of Jefferson Board of Adjustment

## LOCATION MAP



**Case No. B15007**  
**Side Setback Variance**  
**1211 Cottage Lane**

0 20 40 80 Feet







City of Jefferson  
Department of Planning & Protective Services  
320 E. McCarty Street  
Jefferson City, MO 65101  
Phone: 573-634-6410  
[jcplanning@jeffersoncitymo.gov](mailto:jcplanning@jeffersoncitymo.gov)

Date filed:



## APPLICATION TO THE BOARD OF ADJUSTMENT

1. The undersigned hereby request(s) the following:
  - ☐ Appeal (Section 35-73C)
  - ☐ Conditional Use Permit (Section 35-73A; Section 35-71, Site Plan)
  - ☒ Variance (Section 35-73B; Section 35-71, Site Plan)
  - ☐ Chapter 3, Advertising and Signs: Conditional Use Sign Permit
  - ☐ Chapter 8, Article V, Flood Hazard Regulations; Variance to Flood Hazard Regulations
  - ☐ Other (including Interpretations; please describe in #2 below)
2. Describe exactly the type of project proposed or what is being requested and the purpose of the request. Cite affected Section numbers if known (or attach separate sheet).

Request a change in the left side setback from 7' to 5.5' for 1211 Cottage Lane.

3. The application is filed for the following described real estate: (the correct legal description of the property must be printed below or attached to this application).

A. Street Address: 1211 Cottage Lane

B. Property Description: see Attached

4. A site plan in accordance with Section 35-71 is required for conditional use permits and variance applications. A "sketch" site plan may be required for other applications such as conditional use sign applications. A check in the amount of \$210.00\* payable to the "City of Jefferson" for the application filing fee must be attached to this application. \*Revised June 30, 2015.
5. Variance applicants must complete the attached Variance Affidavit. Each question must be answered and the affidavit must be signed by the applicant(s) and notarized.
6. The undersigned certify to be all of the owner(s) of the above described property. (All owners of this property must sign and the signatures must be notarized).

Kelly A. Smith  
Property Owner Name (type or print)  
Executive Director

Kelly A. Smith  
Property Owner Signature

Property Owner Name (type or print)

Property Owner Signature

Subscribed and sworn before me this 13<sup>th</sup> day of November, 2015.

Teresa J. Stull  
Notary Public

Applicant (if different from property owner):

Name	<u>Kyle R. Kittrell</u>
Mailing Address	<u>1420 Creek Trail Drive 65109</u>
Phone Number	<u>573-353-3662</u>

Specific information may be required depending upon type of application. Please refer to the appropriate Chapter. Other permits, including building permits and sign permits may be required in addition to Board actions. Please seek advice of City staff or your consultant, if applicable.

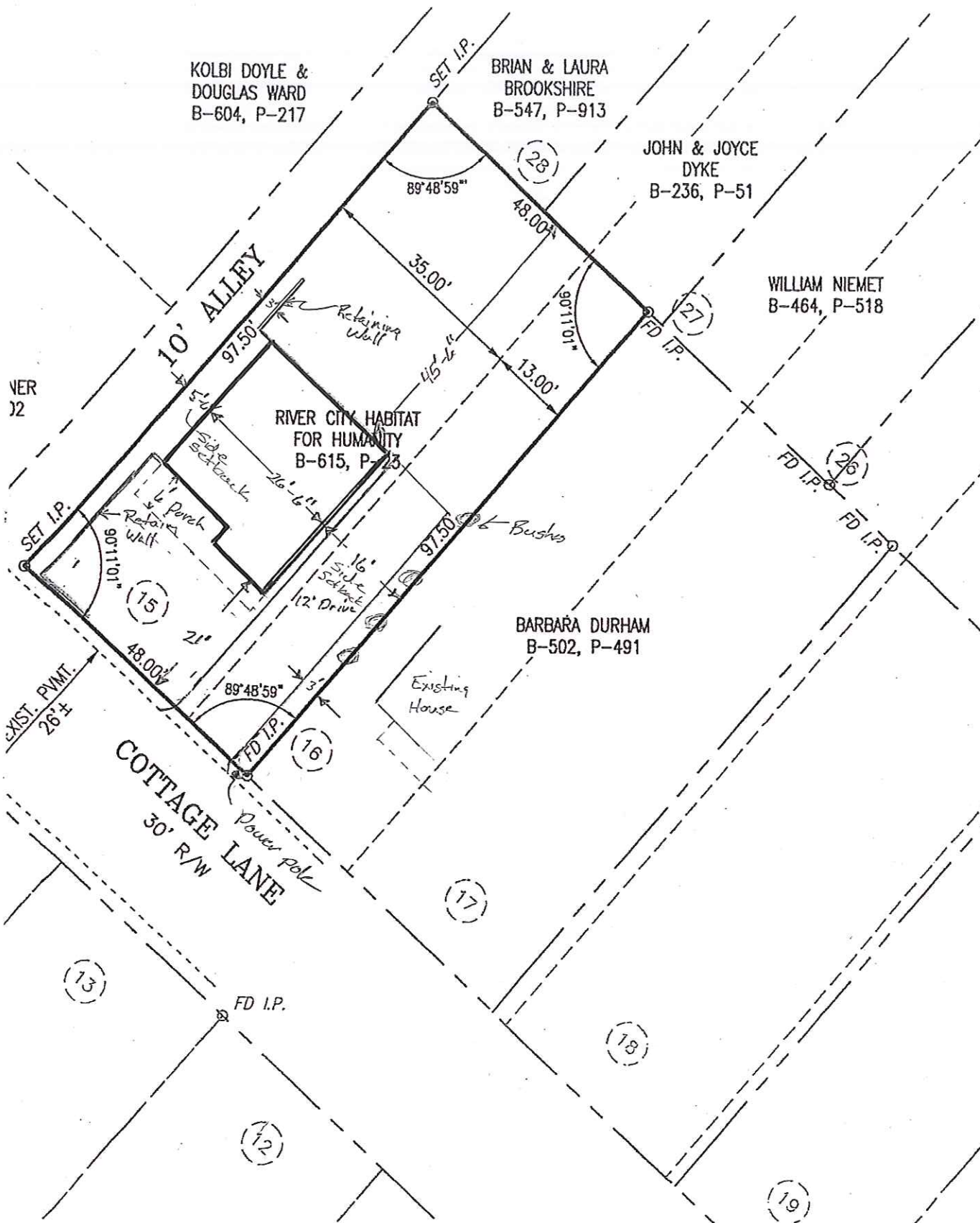
Individuals should contact the ADA Coordinator at (573) 634-6570 to request accommodations or alternative formats as required under the Americans with Disabilities Act. Please allow three business days to process the request.



TERESA J. STULL  
My Commission Expires  
February 4, 2018  
Cole County  
Commission #14575039

# PROPERTY BOUNDARY SURVEY

PROPERTY DESCRIBED IN BOOK 615, PAGE 23;  
1211 COTTAGE LANE







Parcel ID	1104170004002029	Property Description	LOT 15 & W-LY 13' LOT 16
Owner Name	RIVER CITY HABITAT FOR HUMANITY	Sec/Twn/Rng	17/44/11
Mailing Address	1420 CREEK TRAIL DR	Square Feet (Above Grade)	0
City State ZIP	JEFFERSON CITY, MO 65109	Basement Type	
Property Address	1211 Cottage Ln	Finished Bsmnt. Size (Sq. Ft.)	
Subdivision	HOUCHINS ADDN	Year Built	0
Subdivision Image	HOUCHINS ADDN	Appraised Value	\$7,000

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Map Scale  
1 inch = 25 feet  
11/13/15

ZONING VARIANCE AFFIDAVIT

STATE OF MISSOURI     )  
                                      )  
COUNTY OF COLE     )     ss.

being first duly sworn, deposes and says: Kyle R. Kittrell of the City of Jefferson, Missouri,

I have personal knowledge of the facts herein set forth:

1. Will your proposed variance eliminate an adequate supply of light to the adjacent property?  
State all reasons for your answer and use additional pages to complete your answer if necessary. *No it will not. On the left side of the property there is a 10' Alley. This would provide a 15.5' clear area to the adjacent property line. This would allow for 16' clear to the property line on the right side.*
2. Will your proposed variance eliminate an adequate supply of air to the adjacent property?  
State all reasons for your answer and use additional pages to complete your answer if necessary. *No it will not. Same answer as No. 1*
3. Will your proposed variance substantially increase congestion on the public street?  
State all reasons for your answer and use additional pages to complete your answer if necessary. *No it will not. The flow of traffic is very low on this short street. This variance will not change the flow patterns.*
4. Will your proposed variance increase the danger of fire? State all reasons for your answer and use additional pages to complete your answer if necessary.  
*This variance will not change access to any of the houses along Cottage or Elm.*
5. Will your proposed variance endanger the safety of the public? State all reasons for your answer and use additional pages to complete your answer if necessary.  
*The variance will not result in any increased safety hazards.*



6. Will your proposed variance be unduly injurious to the use and enjoyment of the adjacent property? State all reasons for your answer and use additional pages to complete your answer if necessary. *No it will not. The adjacent property owner on the left will still have access to the Alley.*
7. Will your proposed variance substantially diminish property values in the neighborhood? State all reasons for your answer and use additional pages to complete your answer if necessary. *No it will not. The houses on Cottage are on small lots and close together. With the Alley on the left, this variance will not be noticeable.*

The Answers set forth herein are based on my knowledge and are true to the best of my information, knowledge and belief

FURTHER AFFIANT SAYETH NOT.

*[Signature]*

State of Missouri )

County of Cole )

Subscribed and sworn to before me this 13<sup>th</sup> day of November in the year 2015

*Teresa J. Stull*

Notary Public

My commission expires: 2-4-2018



TERESA J. STULL  
My Commission Expires  
February 4, 2018  
Cole County  
Commission #14575039

## City of Jefferson

Department of Planning & Protective Services  
320 E. McCarty St.  
Jefferson City, MO 65101



## Carrie Tergin, Mayor

Janice McMillan, AICP, Director  
Phone: 573-634-6410  
Fax: 573-634-6562

November 24, 2015

Dear Property Owner:

This letter is to notify you that the Jefferson City Board of Adjustment will meet at 7:30 a.m. on the morning of Tuesday, December 8, 2015 in the Council Chambers of the John G. Christy Municipal Building, 320 E. McCarty Street, to consider the following item of business:

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As an adjoining landowner and/or neighbor, you have the privilege of attending this hearing. Unfortunately, we are unable to record comments received by telephone, but written comments will be made part of the official record. Written comments may be directed to the Board of Adjustment in one of the following ways:

e-mail: [jcplanning@jeffersoncitymo.gov](mailto:jcplanning@jeffersoncitymo.gov)

fax: Department of Planning & Protective Services, Planning Division, 573-634-6457

mail: Department of Planning & Protective Services / Planning Division  
John G. Christy Municipal Building, 320 E. McCarty Street, Jefferson City, MO 65101

Written comments must be received before 5:00 p.m. Monday, December 7, 2015 and will be copied and distributed to Board members at the meeting. Correspondence and other items received at the time of the meeting will be included in the official record, but may be delivered to the Chairman only; there is no guarantee that copies will be made for distribution to all Board members. Interested parties who are unable to provide written comment in advance are invited to deliver their comments to the Board Chairman at the time of the meeting.

Information regarding this case may be viewed on the Board of Adjustment webpage at:

<http://www.jeffersoncitymo.gov/pps/planning/boardofadjustment.html>

If you have any questions concerning this matter, please feel free to contact me at 573-634-6475.

Sincerely,

A handwritten signature in blue ink that reads "Eric Barron".

Eric Barron, AICP  
Senior Planner

Individuals should contact the ADA Coordinator at (573) 634-6570 to request accommodations or alternative formats as required under the Americans with Disabilities Act. Please allow three business days to process the request.



ADAMS, JEFF  
901 JEFFERSON ST  
JEFFERSON CITY, MO 65101  
1213 E DUNKLIN ST

HAPPY, STEPHEN H & DORA JANE  
10517 DEER RUN RD  
JEFFERSON CITY, MO 65101  
1215 E DUNKLIN ST  
1217 E DUNKLIN ST

HUMPHREY, JAMES  
1219 E DUNKLIN ST  
JEFFERSON CITY, MO 65101  
1219 E DUNKLIN ST

TURNER, KIMBERLY DAWN  
1200 COTTAGE LN  
JEFFERSON CITY, MO 65101  
1200 COTTAGE LN

DOYLE, KOLBI R  
WARD, DOUGLAS A  
1222 E ELM ST  
JEFFERSON CITY, MO 65101  
1222 E ELM ST

KOETTING RENTALS L L C  
329 HUTTON LN  
JEFFERSON CITY, MO 65101  
1220 E ELM ST

LEPPER, CRAIG A  
1218 E ELM ST  
JEFFERSON CITY, MO 65101  
1218 E ELM ST

POWELL, SALLY R  
1216 E ELM ST  
JEFFERSON CITY, MO 65101  
1216 E ELM ST

CAREY, DAVID N & LORIE S  
1222 COTTAGE LN  
JEFFERSON CITY, MO 65101  
1222 COTTAGE LN  
1220 COTTAGE LN  
1218 COTTAGE LN

LOAIZA, NATALIE & RICHARD  
1824 CEDAR HILL RD  
JEFFERSON CITY, MO 65109  
1216 COTTAGE LN

BAX, DAVID MICHAEL  
1214 COTTAGE LN  
JEFFERSON CITY, MO 65101  
1214 COTTAGE LN

COLE, TINA MARIE & MICHAEL A  
1223 E DUNKLIN ST  
JEFFERSON CITY, MO 65101  
1223 E DUNKLIN ST

DENNY, JULIA M  
1227 E DUNKLIN ST  
JEFFERSON CITY, MO 65101  
1227 E DUNKLIN ST

CROWE, GAYLE  
% GAYLE RUSH  
70 SPRING GARDEN RD  
EUGENE, MO 65032  
1229 E DUNKLIN ST

KENAN, JUSTIN A  
PO BOX 25  
CHILLICOTHE, MO 64601  
1231 E DUNKLIN ST

THIRD GENERATION PROPERTIES L L C  
12418 CO RD 4027  
TEBBETTS, MO 65080  
1233 E DUNKLIN ST  
1219 COTTAGE LN  
1217 COTTAGE LN

ADRIAN, ROGER J & MARY E L  
TRUSTEES  
2315 PLYMOUTH ROCK DR  
JEFFERSON CITY, MO 65109  
1233 E ELM ST

SMALLWOOD, ANGELA  
1231 E ELM ST  
JEFFERSON CITY, MO 65101  
1231 E ELM ST

CORNERSTONE PROPERTIES OF MISSOURI  
L L C  
114 CORNERSTONE LN  
ST THOMAS, MO 65076  
1229 E ELM ST

MCHENRY, THOMAS B  
1427 GREEN BERRY RD  
JEFFERSON CITY, MO 65101  
1227 E ELM ST

BROOKSHIRE, BRIAN & LAURA  
18561 S ALBERT ST  
HARTSBURG, MO 65039  
1224 E ELM ST

DYKE, JOHN M & JOYCE F  
913 HALIFAX RD  
HOLTS SUMMIT, MO 65043  
1226 E ELM ST

NIEMET, WILLIAM C  
601 JEFFERSON ST  
FULTON, MO 65251  
1228 E ELM ST

JONES, WALTER LEE  
AKINOLA, DEBORAH HILL  
1230 E ELM ST  
JEFFERSON CITY, MO 65101  
1230 E ELM ST

CAPITAL AREA INVESTMENTS L L C  
PO BOX 6712  
JEFFERSON CITY, MO 65102-6712  
604 HOUCHIN ST

RIVER CITY HABITAT FOR HUMANITY  
1420 CREEK TRAIL DR  
JEFFERSON CITY, MO 65109  
1211 COTTAGE LN (*Subject Property*)  
1212 COTTAGE LN

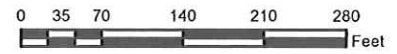
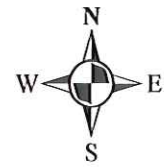
DURHAM, BARBARA J  
1215 COTTAGE LN  
JEFFERSON CITY, MO 65101  
1215 COTTAGE LN

MOSES, DENNIS A  
WALTHER, PATRICIA  
4125 RT J  
JEFFERSON CITY, MO 65101  
1221 COTTAGE LN

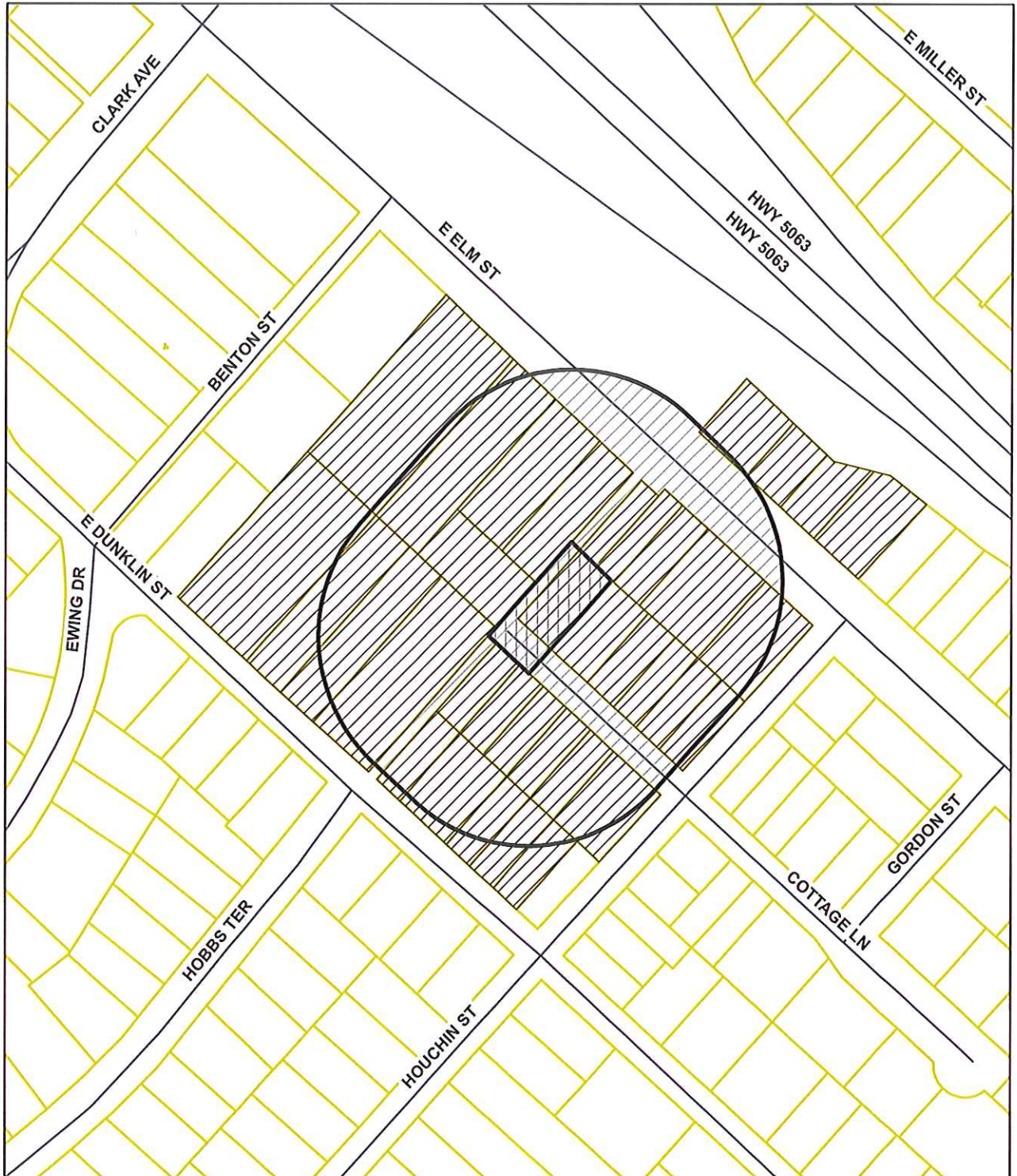
SCHAFER, TIMOTHY N  
1223 COTTAGE LN  
JEFFERSON CITY, MO 65101  
1223 COTTAGE LN



Case No. B15007  
Side Setback Variance  
1211 Cottage Lane



185 ft. Notification Buffer



# **Jefferson City Board of Adjustment**

**December 8, 2015**

**Case No. B15008  
City of Jefferson  
2104 Industrial Drive**

**Side Setback Variance**



**STAFF REPORT**  
**BOARD OF ADJUSTMENT – CITY OF JEFFERSON, MISSOURI**  
**December 8, 2015**

**Case No. B15008 – 2104 Industrial Drive; Side Setback Variance.** Application filed by City of Jefferson, property owner, for a 7.6 feet variance from the side setback requirement of 10 feet to allow the property to be split and the existing structure to have a setback of 2.4 feet from the new property line. The property is located on the north side of Industrial Drive 1000 feet west of Dix Road and is described as part of the SE Quarter of Section 2, Township 44 North, Range 12 West, Jefferson City, Missouri.

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**PUBLIC NOTICE**

By publication in the newspaper, letter to adjacent and affected property owners within 185 feet, and by property sign posting.

**NATURE OF REQUEST**

This property consists of old Fire State #3, which is no longer in service after the construction of the new fire station on Rock Hill Road/Highway 179. The building and front portion of the property have been offered for sale and the City is in final negotiations regarding this sale. In order to accommodate the sale, the City plans to divide the property into two tracts, with the rear portion of the property remaining in City ownership and the front portion of the property being sold. The rear tract would be connected to Industrial Drive via a 35 feet wide strip of property along the western property line. The 35' wide strip of property would be within 2.4 feet of the corner of the existing fire station building, which is less than the required 10 feet side setback of the C-1 zoning district. In order to accommodate the property division and remove any title issues associated with the reduced setback for the future property owner, the City is requesting a side setback variance.

**ZONING AND SURROUNDING LAND USE**

The subject property is zoned C-1 Neighborhood Commercial.

	Surrounding Zoning	Surrounding Uses
North	RS-3	Single Family Residential
South	M-2	Church
East	RS-3	Single Family Residential
West	C-O	Office Building

**STAFF ANALYSIS**

There are no construction plans associated with the variance request. The request is filed in order to accommodate a split of the property and allow the City to retain street frontage for the rear portion of the property. The 35 feet wide strip of property that would serve as access to the rear tract is surveyed along an existing driveway that also serves as access to the rear of the old fire station building. An easement would be granted along the 35' strip of property to the future owner of the front tract to serve as access to the rear of the existing building.

With the 35 feet strip of property having a shared use through the granting of the access easement, any negative effects associated with the granting of a setback variance from a property line associated with the strip of property are largely negated.

**FINDINGS REQUIRED**

Please refer to the handout provided for the required General Findings and Specific Findings. The applicant has provided responses to the required findings. In reviewing this case, the Board may wish to consider the following questions:

1. Are there any practical difficulties unique to this property which under strict and literal adherence to the provisions of the zoning regulations would cause the applicant an unnecessary hardship?
2. Would the appearance and value of surrounding properties be damaged if the variance is granted?

<b>Finding</b>	<b>Yes</b>	<b>No</b>	<b>Comments</b>
Not eliminate an adequate supply of light or air to adjacent property.	X		The adjacent strip of property would be used only for access to the rear tract. Light and air needs are minimal and the variance would not change the existing arrangement of the driveway and building.
Not substantially increase congestion in the public street.	X		The requested variance would not increase congestion on the street.
Not increase the danger of fire or endanger the safety of the public.	X		The requested variance would have no effect on safety and would accommodate access needs for both tracts.
Not be unduly injurious to the use and enjoyment of adjacent property.	X		The adjacent strip of property would be used for access purposes only and the variance would not affect the ability to use the property for that purpose.
Not substantially diminish property values in the neighborhood.	X		The variance would accommodate a split of the property with no change to the existing arrangement of building and driveway. Effects on surrounding property values should be minimal.
Be in keeping with the general spirit and intent of the zoning code.	X		The requested variance would accommodate an existing situation, and an access easement across the property adjacent to the setback variance would largely negate any negative impacts from the variance.

**STAFF RECOMMENDATION**

The required findings appear to be met. The setback variance is requested in order to accommodate a split of the property, with no changes to the existing arrangement of building and driveway. An access easement across the property adjacent to the requested setback variance largely negates any negative impacts associated with the reduced setback.

**FORM OF MOTION**

Motion to approve a variance of 7.6 feet from the side setback requirement of the C-1 district of 10 feet to allow a side setback of 2.4 feet.



## VARIANCE DENSITY AND DIMENSIONAL STANDARDS

### GENERAL FINDINGS 35-73.B.4.(b):

Before granting any variance, the Board **shall** find the proposed variance, if granted, would:

		YES	NO
1.	Not eliminate an adequate supply of light or air to adjacent property, substantially increase congestion in the public street, increase the danger of fire, or endanger the safety of the public; and		
2.	Not be unduly injurious to the use and enjoyment of adjacent property nor would it substantially diminish property values in the neighborhood; and		
3.	Be in keeping with the general spirit and intent of this chapter.		

### SPECIFIC FINDING 35-73.B.4.(c):

In addition to the general findings, the Board **shall** also find:

		YES	NO
1.	That there are practical difficulties associated with the premises which under strict and literal adherence to the provisions of this chapter would cause the applicant an unnecessary hardship.		
<b>DEFINITIONS:</b> <b>Practical Difficulties.</b> The term may include, but not necessarily be limited to difficulties caused by parcel size, shape, narrowness, shallowness, topography, physical surroundings or other special circumstance, and the special circumstance is peculiar to the premises and does not generally apply to other lands in similar zoning districts in the city and, further, the circumstance would prevent the applicant from using or developing the property in a manner equivalent to the use or development occurring on neighboring properties in the same zoning district.  <b>Unnecessary hardship.</b> A hardship which is unnecessary in the sense that the preservation of the spirit and intent of this chapter does not depend on the denial of the variance.			

### EXTENT OF VARIANCE LIMITED 35-73.B.5.(a)

A variance, if granted, shall be limited to the minimum variance necessary to resolve, in whole or in part, the particular problem of the applicant.

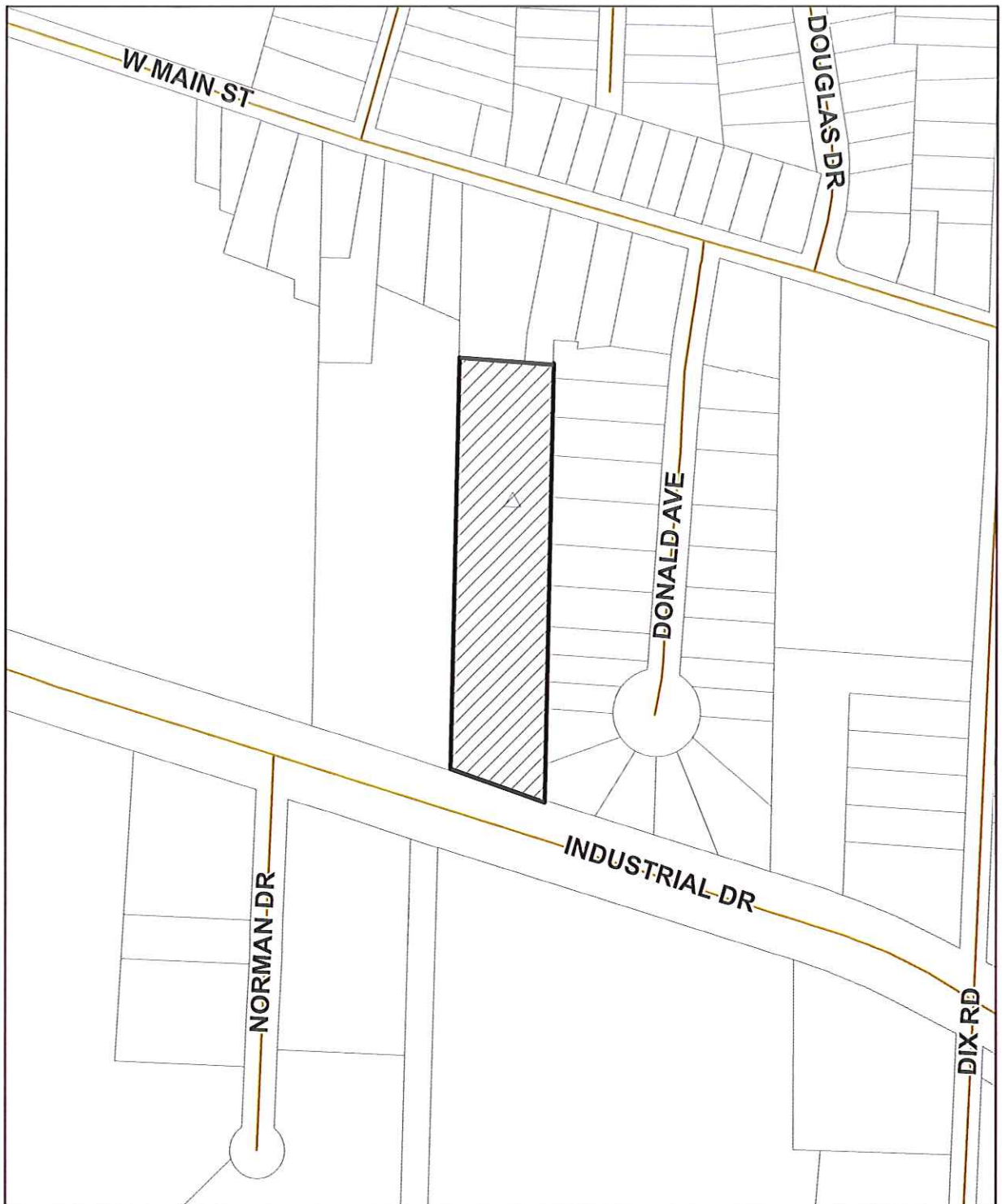
### CONDITIONS 35-73.B.5.(c)

In granting a variance, the Board may impose such conditions upon the premises receiving the variance as may be necessary to ensure that the variance will not:

		YES	NO
1.	Be unduly injurious to the use and enjoyment of other property in the immediate vicinity.		
2.	Have a significant adverse affect on property values in the neighborhood.		
3.	Endanger or be detrimental to the public health, safety or general welfare of the citizens of the city.		


# City of Jefferson Board of Adjustment

## VICINITY



Case No. B15008  
Side Setback Variance  
2104 Industrial Dr.

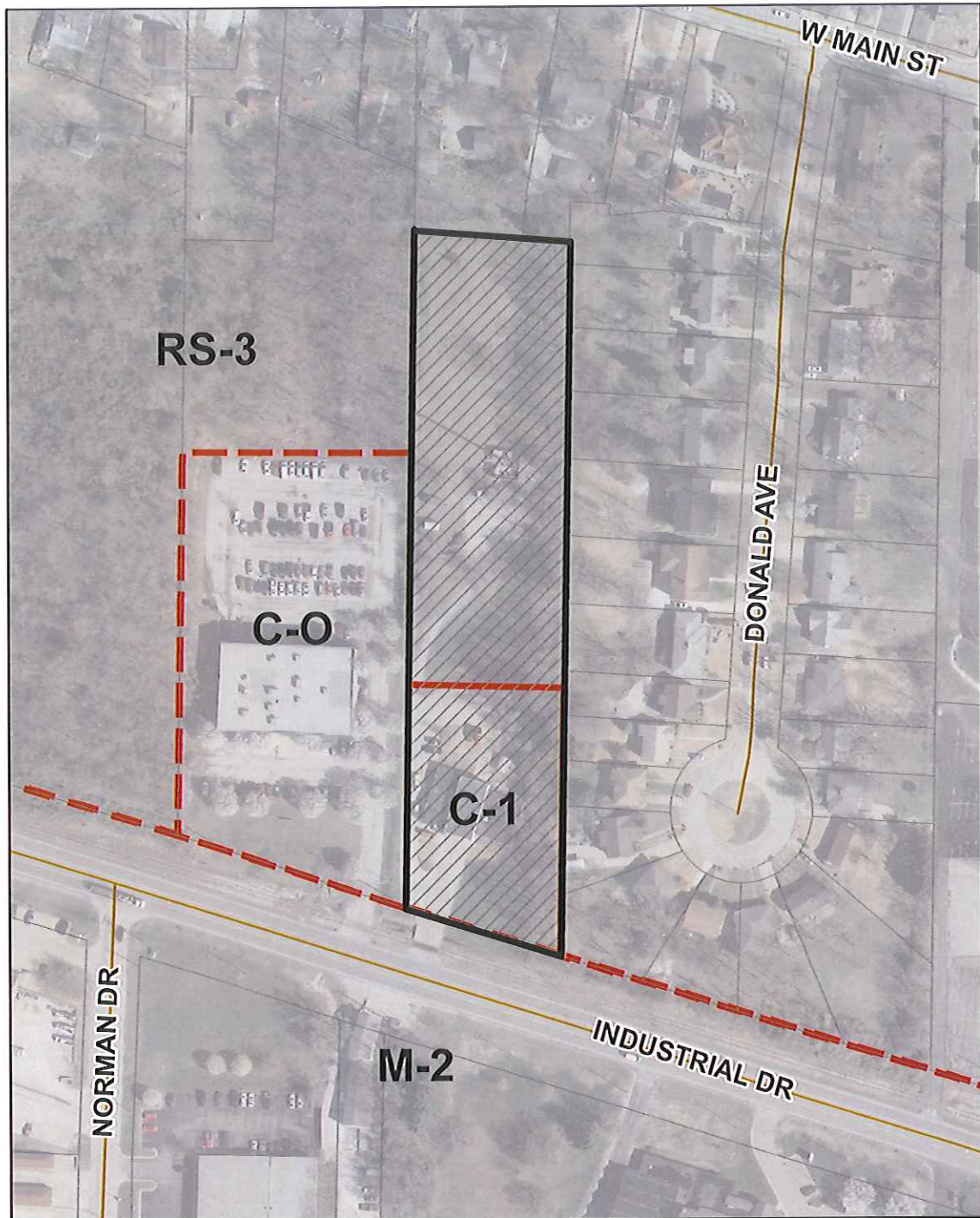
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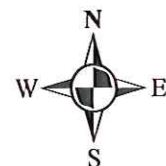
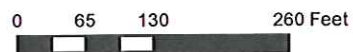


# City of Jefferson Board of Adjustment

## LOCATION MAP



Case No. B15008  
Side Setback Variance  
2104 Industrial Dr.





City of Jefferson  
Department of Planning & Protective Services  
320 E. McCarty Street  
Jefferson City, MO 65101  
Phone: 573-634-6410  
[icplanning@jeffcitymo.org](mailto:icplanning@jeffcitymo.org)  
[www.jeffersoncitymo.gov](http://www.jeffersoncitymo.gov)

Date filed: \_\_\_\_\_

## APPLICATION TO THE BOARD OF ADJUSTMENT

1. The undersigned hereby request(s) the following:  
☐ Appeal (Section 35-73C)  
☐ Conditional Use Permit (Section 35-73A; Section 35-71, Site Plan)  
☒ Variance (Section 35-73B; Section 35-71, Site Plan)  
☐ Chapter 3, Advertising and Signs: Conditional Use Sign Permit  
☐ Chapter 8, Article V, Flood Hazard Regulations; Variance to Flood Hazard Regulations  
☐ Other (including Interpretations; please describe in #2 below)
2. Describe exactly the type of project proposed or what is being requested and the purpose of the request. Cite affected Section numbers if known (or attach separate sheet).

Side setback variance of 7.6 feet so that property can be split and existing building can sit 2.4 feet from new property line.

3. The application is filed for the following described real estate: (the correct legal description of the property must be printed below or attached to this application).

A. *Street Address:* 2104 Industrial Drive

B. *Property Description:* See attached.

4. A site plan in accordance with Section 35-71 is required for conditional use permits and variance applications. A "sketch" site plan may be required for other applications such as conditional use sign applications. A check in the amount of \$210.00\* payable to the "City of Jefferson" for the application filing fee must be attached to this application. \*Revised June 30, 2015.
5. Variance applicants must complete the attached Variance Affidavit. Each question must be answered and the affidavit must be signed by the applicant(s) and notarized.
6. The undersigned certify to be all of the owner(s) of the above described property. (All owners of this property must sign and the signatures must be notarized).

**Steven S. Crowell, Jr., City Administrator**

Property Owner Name (type or print)

Property Owner Signature

Property Owner Name (type or print)

Property Owner Signature

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Notary Public

Applicant (if different from property owner):

Name	
Mailing Address	
Phone Number	

Specific information may be required depending upon type of application. Please refer to the appropriate Chapter. Other permits, including building permits and sign permits may be required in addition to Board actions. Please seek advice of City staff or your consultant, if applicable.

Individuals should contact the ADA Coordinator at (573) 634-6570 to request accommodations or alternative formats as required under the Americans with Disabilities Act. Please allow three business days to process the request.



# City of Jefferson

## City Initiated Variance Request

Property Address: 2104 Industrial Drive  
(Currently Owned by City of Jefferson)

Request: Setback Variance of 7.6 feet

Case No: B15008

Staff Contact: Eric Barron, Senior Planner  
573-634-6419

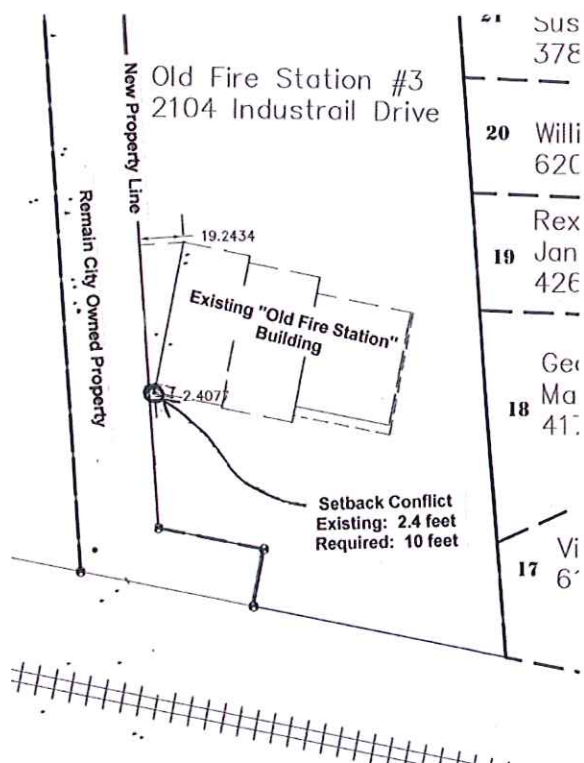


### Summary of Request:

This is a City initiated request to the Board of Adjustment for a setback variance. The purpose of the request is to accommodate the sale of the front portion of the property from the City to a private entity and the conversion of the former fire station structure to a commercial use.

The City plans to divide the property into two lots, with the rear portion of the property remaining in City ownership and the front portion of the property being sold. A 35 feet wide strip of ground along the western side of the property would remain in City ownership to serve as access and meet street frontage requirements for the rear lot. While an access easement across this 35' strip of property would be granted to the owner of the front lot, the property line would be within 2.4 feet of the existing "old fire station" building, which is in conflict with the side setback requirement of the C-1 zoning district of 10 feet.

In order to accommodate the property division and remove any title issues associated with the reduced setback for the new property owner, the City is requesting a side setback variance.



## **City of Jefferson**

Department of Planning & Protective Services  
320 E. McCarty St.  
Jefferson City, MO 65101



## **Carrie Tergin, Mayor**

Janice McMillan, AICP, Director  
Phone: 573-634-6410  
Fax: 573-634-6562

November 24, 2015

Dear Property Owner:

This letter is to notify you that the Jefferson City Board of Adjustment will meet at 7:30 a.m. on the morning of Tuesday, December 8, 2015 in the Council Chambers of the John G. Christy Municipal Building, 320 E. McCarty Street, to consider the following item of business:

**Case No. B15008 – 2104 Industrial Drive; Side Setback Variance.** Application filed by City of Jefferson, property owner, for a 7.6 feet variance from the side setback requirement of 10 feet to allow the property to be split and the existing structure to have a setback of 2.4 feet from the new property line. The property is located on the north side of Industrial Drive 1000 feet west of Dix Road and is described as part of the SE Quarter of Section 2, Township 44 North, Range 12 West, Jefferson City, Missouri.

As an adjoining landowner and/or neighbor, you have the privilege of attending this hearing. Unfortunately, we are unable to record comments received by telephone, but written comments will be made part of the official record. Written comments may be directed to the Board of Adjustment in one of the following ways:

e-mail: [jcplanning@jeffersoncitymo.gov](mailto:jcplanning@jeffersoncitymo.gov)

fax: Department of Planning & Protective Services, Planning Division, 573-634-6457

mail: Department of Planning & Protective Services / Planning Division  
John G. Christy Municipal Building, 320 E. McCarty Street, Jefferson City, MO 65101

Written comments must be received before 5:00 p.m. Monday, December 7, 2015 and will be copied and distributed to Board members at the meeting. Correspondence and other items received at the time of the meeting will be included in the official record, but may be delivered to the Chairman only; there is no guarantee that copies will be made for distribution to all Board members. Interested parties who are unable to provide written comment in advance are invited to deliver their comments to the Board Chairman at the time of the meeting.

Information regarding this case may be viewed on the Board of Adjustment webpage at:

<http://www.jeffersoncitymo.gov/pps/planning/boardofadjustment.html>

If you have any questions concerning this matter, please feel free to contact me at 573-634-6475.

Sincerely,

*Eric Barron*

Eric Barron, AICP  
Senior Planner

Individuals should contact the ADA Coordinator at (573) 634-6570 to request accommodations or alternative formats as required under the Americans with Disabilities Act. Please allow three business days to process the request.



FOX, WENDY  
205 DONALD AVE  
JEFFERSON CITY, MO 65109  
205 DONALD AVE

KUTSCHER, RICHARD G  
207 DONALD AVE  
JEFFERSON CITY, MO 65109  
207 DONALD AVE

SCHEDLER, SARAH M  
209 DONALD AVE  
JEFFERSON CITY, MO 65109  
209 DONALD AVE

MUCK, OSCAR W JR & JUANITA E  
211 DONALD AVE  
JEFFERSON CITY, MO 65109  
211 DONALD AVE

KRUEGER, SARAH  
213 DONALD AVE  
JEFFERSON CITY, MO 65109  
213 DONALD AVE

AZAR, MICHAEL & JENNIFER  
215 DONALD AVE  
JEFFERSON CITY, MO 65109  
215 DONALD AVE

VOLMERT, GINA MARIE  
2023 W MAIN ST  
JEFFERSON CITY, MO 65109  
2023 W MAIN ST

KINCHELOE, DUNCAN E III &  
LUCIA ERIKSON  
2027 W MAIN ST  
JEFFERSON CITY, MO 65109  
2027 W MAIN ST

DEAGLE, DAVID A SR & NORMA J  
2031 W MAIN ST  
JEFFERSON CITY, MO 65109  
2031 W MAIN ST

RICE, CATHERINE  
108 DONALD AVE  
JEFFERSON CITY, MO 65109  
108 DONALD AVE

BERLENER, LEIGH ANNE  
112 DONALD AVE  
JEFFERSON CITY, MO 65109  
112 DONALD AVE

RACKERS, JANE  
114 DONALD AVE  
JEFFERSON CITY, MO 65109  
114 DONALD AVE

ENGELBY, JOY LYNN  
ENGELBY, JERRY D  
ENGELBY, ROGER A  
116 DONALD AVE  
JEFFERSON CITY, MO 65109  
116 DONALD AVE

WARREN, JACK LEE & VICKI C  
120 DONALD AVE  
JEFFERSON CITY, MO 65109  
120 DONALD AVE

HAMBLIN, ELIZABETH  
202 DONALD AVE  
JEFFERSON CITY, MO 65109  
202 DONALD AVE

OWENS, REX B & JANELL K  
TRUSTEES  
405 CRYSTAL VIEW TER  
JEFFERSON CITY, MO 65109  
204 DONALD AVE

FAERBER, SUSAN R  
206 DONALD AVE  
JEFFERSON CITY, MO 65109-0944  
206 DONALD AVE

WILLIBRAND PROPERTIES L L C  
PO BOX 128  
WESTPHALIA, MO 65085  
208 DONALD AVE

BLANCHARD, WARREN & TERESA  
2041 W MAIN ST  
JEFFERSON CITY, MO 65109  
2041 W MAIN ST

OWENS, REX B & JANEL K, TRUSTEES  
405 CRYSTAL VIEW TER  
JEFFERSON CITY, MO 65109  
210 DONALD AVE

MASTERS, WILLIAM E  
2043 W MAIN ST  
JEFFERSON CITY, MO 65109  
2043 W MAIN ST

HODGE, GEORGE W & MARCELLA C  
212 DONALD AVE  
JEFFERSON CITY, MO 65109  
212 DONALD AVE

HOWERTON, RICHARD A  
PROPERTIES & DEVELOPMENT INC  
PO BOX 574  
JEFFERSON CITY, MO 65102  
2112 INDUSTRIAL DR

SPINNER, VICTORIA  
214 DONALD AVE  
JEFFERSON CITY, MO 65109  
214 DONALD AVE

PHILLIPS, HOMER L JR  
2045 W MAIN ST  
JEFFERSON CITY, MO 65109  
2045 W MAIN ST

NOLL, EDITH  
TRUSTEE  
216 DONALD AVE  
JEFFERSON CITY, MO 65109  
216 DONALD AVE

FAITH LUTHERN CHURCH  
2027 INDUSTRIAL DR  
JEFFERSON CITY, MO 65109  
2027 INDUSTRIAL DR

CITY OF JEFFERSON  
FIRE DEPT STATION 3  
320 E MCCARTY ST  
JEFFERSON CITY, MO 65101  
2104 INDUSTRIAL DR (*Subject Property*)

JAMPAM L L C  
10706 MARINA RD  
JEFFERSON CITY, MO 65101  
2105 INDUSTRIAL DR

AMERICAN TOWER CORP  
% PROPERTY TAX  
SITE #93023  
P.O. BOX 723597  
ATLANTA, GA 31139  
2104 INDUSTRIAL DR

F & F DEVELOPMENT L L C  
% FEDERAL EXPRESS CORPORATION  
3965 AIRWAYS BLVD  
TAX DEPT  
MEMPHIS, TN 38116  
303 NORMAN DR

JONES, ROBERT E & VICTORIA L  
2033 W MAIN ST  
JEFFERSON CITY, MO 65109  
2033 W MAIN ST



Case No. B15008  
Side Setback Variance  
2104 Industrial Dr.



185 ft. Notification Buffer

